

The Verdict On Music According To The Scholars Of Islam

Al-Mut'allim Abū Zur'ah al-Hāshimī

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According to The Scholars of Islam

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Bismillāhi r-Raḥmāni r-Raḥīm

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ، وَعَلَى آلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مَجِيدٌ، وَبَارِكْ عَلَى
مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ، وَعَلَى آلِ إِبْرَاهِيمَ، فِي الْعَالَمِينَ إِنَّكَ حَمِيدٌ مَجِيدٌ

Allāhumma ṣalli ‘alā Muḥammadin wa ‘alā āli Muḥammadin, kamā ṣallayta
‘alā Ibrāhīma wa ‘alā āli Ibrāhīma, innaka ḥamīdun majīd. Allāhumma bārik
‘alā Muḥammadin wa ‘alā āli Muḥammadin, kamā bārakta ‘alā Ibrāhīma wa
‘alā āli Ibrāhīma, innaka ḥamīdun majīd

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لَوَجْهِ اللَّهِ لَا نُرِيدُ مِنْكُمْ جَزَاءً وَلَا شُكُورًا

“For Allaah’s Countenance only. We wish for no reward, nor thanks from
you.”

[Al-Insān 76:9]

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Preface

بسم الله الرحمن الرحيم الحمد لله رب العالمين والصلاة والسلام على النبي الكريم وعلى آله وصحبه أجمعين

In the name of Allaah, the Most Beneficent, the Most Merciful. All praise is due to Allaah, the Lord of the worlds, peace and blessings upon the noble Prophet, upon his family, and all of his companions.

In the world we live in, we are surrounded by music. Whether one is in a grocery store, in an elevator, or even strolling in the street, one will hear some kind of music. There are plenty of genres of music and singers to listen to.

But as Muslims, we are first and foremost slaves of Allaah who are in this world to obey our Lord. So naturally, one may ask, “Is music permissible or prohibited?” There’s no shortage of answers given as well. One group says that all kinds of music is impermissible with only a few exceptions, another group on the more liberal or progressive side says that it is a matter of difference between the scholars and that following any group is correct, another says that the content of the music is what makes it permissible or prohibited, if its lyrics are bad then it is prohibited otherwise it is permissible.

The average layman may be confused on what to do as he does not have the knowledge to investigate the matter, so he either follows a scholar in their ruling on it even if the scholar is wrong or submits to his desires and comes up with excuses. Therefore, it aches us that we see many Muslims unknowingly hold any of the opinions which we mentioned above other than the first one which is in reality what the Muslims have held for centuries.

The rise of modern speakers and preachers who water the religion down, promote the mistakes of scholars and have an overall liberal agenda are the ones to blame for the confusion amongst the laymen. As a result, we have decided to compile

this book in order for the people to be made aware of the deceptions of these speakers and to shed light on this topic by going through the various compilations, books and articles from the scholars of Islam and students of knowledge, presenting what is the correct opinion on this matter is.

We extend our thanks to the scholars and researchers who have shared their knowledge and insights. We ask Allaah that this serves as a valuable resource for those seeking clarity and guidance on this matter. We ask Allaah, the Most Merciful, to accept our efforts and guide us all to a better understanding of His commands and protect us from falsehood, we ask him to forgive our shortcomings or any kind of mistake in this book, as no book is perfect except the Quraan.

Abu Zur'ah al-Hashimi

4 Rabi' Ath-Thani 1445 AH/19th October 2023

Introduction

بسم الله الرحمن الرحيم الحمد لله نحمده ونستعينه ونستغفره ونعوذ بالله من شرور أنفسنا ومن سيئات أعمالنا من يهده الله فلا مضل له ومن يضل فلا هادي له ونشهد أن لا إله إلا الله وحده لا شريك له ونشهد أن سيدنا ونبينا محمد عبده ورسوله صلى الله تعالى عليه وعلى آله وصحبه ومن اتبعهم بإحسان إلى يوم الدين

In the name of Allaah, the Most Beneficent, the Most Merciful. All praise is due to Allaah, we praise Him, we seek His help, we seek His forgiveness, and we seek refuge in Allaah from the evils within ourselves and our evil deeds. Whoever Allaah guides, none can misguide him and whoever Allaah misguides, none can guide Him. We testify that there is no god worthy of worship except Allaah alone, without any partners and we testify that our master, our prophet, Muhammad is His servant and His messenger. Blessings of Allaah, the Most High upon him and upon his family, his companions and those who follow them in goodness until the day of judgement.

The matter of music has always been tough and hard for the layman to approach since they do not possess the prerequisite knowledge required to investigate the matter. The presence of contemporary speakers who spread confusion has exacerbated the issue. For the ease and benefit of the people, we have compiled this book wherein we dissect this issue. The layout of the book is as follows: we start with a brief section defining what music actually is, what was mentioned about it in the Quraan, the Sunnah, the righteous generations of Islam and the schools of Ahlus Sunnah wa'l Jamma'ah, as well as what was mentioned on the issue by their scholars. Furthermore, we will also take a look at the claims of those who try to argue that music is permissible, comparing their proofs, evidences and arguments with ours. We will also inspect what most laymen do which is to call

this matter a difference of opinion (Ikhtilaaf). Through this, they argue that it is permissible for one to follow the opinion that musical instruments are permissible.

Lastly, we will conclude with some advice for the reader so that he may benefit from the main points of this book directly, in case he does not want to read this book in its entirety. We ask Allaah to help us understand this matter and establish us on His religion.

Chapter 1. Definition of Music

The word 'music' in the Cambridge Dictionary is defined as, “a pattern of sounds made by musical instruments, voices, or computers, or a combination of these, intended to give pleasure to people listening to it.”

From this definition, we can separate music into two main parts: musical instruments and singing.

In the case of computers, they merely imitate the sound of physical musical instruments and so the same ruling is applied on them. One cannot argue that computer-generated music is somehow distinct from music generated via physical musical instruments, as both fulfil the same purpose: generating a specific sound

Section 1.1 Musical Instruments

In Arabic, Ma'azif (معازف) is used to refer to musical instruments. Al-Firouzabadi said, “Ma'azif: They are musical instruments like oud and tambourine...”

Az-Zubaydi said, “Ma'azif refers to musical instruments that are played, such as the oud, tambourine, and drum, among others.” (Taaj al-'Aroos 1/6022).

Ibn Taymiyyah said, “... and ma'azif means musical instruments according to the scholars of (the Arabic) language. This word includes all such instruments.” (Majmoo' al-Fatawa 11/535)

You can refer to the following sources as well:

1. Tahtheeb al-Lugha (2/86)

2. Al-Misbah al-Muneer Fi Ghareeb al-Sharh al-Kabeer (2/307)
3. Mu'jam Maqayyis al-Lugha (4/306)
4. Al-Maghrib Fi Tarteef Al-Mu'arrab (1/315)
5. Mukhtaar As-Sihah (pg. 208)

Section 1.2 Singing

In Arabic, singing is called ghina' (غناء) which means raising one's voice and melodious chants.

Ibn Hajar said in Al-Fath (10/55), "Al-Qurtubi transmitted from Al-Jawhari that al-Ma'azif refers to singing" and also said, "The term 'عزف' (azf) is used for singing, and it is applied to all forms of entertainment involving singing."

Ibn Atheer said, "Anyone who raises his voice and exaggerates it, his voice near the Arabs means singing." Al-Nihayah Fi Ghareeb al-Athar (3/739)

He also said, "Ghina' refers to raising one's voice, as well as to the melodic chanting known as "النَّصَب" in Arabic, and also to "الحُذَاء." The person engaging in these activities is not called a "singer." Instead, the term "singer" is used for someone who sings with embellishment, modulation, excitement, and stimulation that may involve exposing explicit content or making explicit statements." Fath al-Bari (2/442).

In Lisan al-Arab (1/758), "Al-Nasb is a type of Arab songs, and a rider is said to have نَصَبَ (nasba) when he sings النَّصْ (al-nasb)".

Al-Zubaydi said, "It was named this way because the voice is 'نُصِبَ' (nusiba) in it, meaning it is raised and elevated." (Taj al-'Aroos" 1/972).

We will explain why Ibn Hajar made the distinction in who is a singer and who isn't later, by Allaah's will.

Chapter 2. Prohibition of Music

Section 2.1 Evidences from the Quran

From the Quran, there are a couple of verses which prove the prohibition of musical instruments and singing. The first and most commonly known verse is from Surah Luqman 31:6:

وَمِنَ النَّاسِ مَن يَشْتَرِي لَهْوَ الْحَدِيثِ لِيُضِلَّ عَن سَبِيلِ اللَّهِ بِغَيْرِ عِلْمٍ وَيَتَّخِذَهَا هُزُوًا أُولَٰئِكَ لَهُمْ عَذَابٌ مُّهِينٌ ٦

And of the people is he who buys the amusement of speech to misguide from the path of Allaah without knowledge and who takes it in ridicule. Those will have a humiliating punishment.

Regarding this verse, Ibn Abbas commented: “This means singing and the like”. Jaabir is reported to view its meaning to signify singing and listening to songs. Al-Hasan al-Basri said: “This ayah was revealed concerning singing and musical instruments.” Abdullah ibn Masoud said: “This -by Allaah- refers to singing” and he repeated it three times for emphasis.

Abdur Rahman ibn Nasir as-Sa'di said regarding this ayah: “That is, talk that distracts people’s minds and prevents them from attaining sublime goals. This includes all kinds of prohibited speech and all kinds of idle talk, falsehood and nonsense that encourages disbelief, evildoing and sin; as well as the talk of those who oppose the truth and argue on the basis of falsehood in order to undermine the truth; backbiting, malicious gossip, lying, reviling, insulting, singing and musical instruments of the Shaytaan, and foolish talk in which there is no benefit in either religious or worldly terms.”¹ This position was reported by many of the Sahabah and Tabi'een like Mujahid ibn Jabr, Ikrimah, Ibraheem An-Nakhaa'i, Ad-Dahhak and others.

¹ Tafseer as-Saadi [7/336]

Ibn al-Qayyim said, “The interpretation of the Sahabah and Tabi’een that ‘amusement of speech’ refers to singing is sufficient. This was reported with authentic chains of narration from Ibn ‘Abbas and Ibn Masoud. Abu’l-Sahba said: I asked Ibn Masoud about the ayah (interpretation of the meaning), “And of mankind is he who purchases idle talks’ [Luqman 31:6]. He said: By Allah, besides whom there is no other god, this means singing – and he repeated it three times. It was also reported with an authentic chain from Ibn ‘Umar (may Allah be pleased with them both) that this means singing.”²

The second verse is in al-Isra’ 17:64

وَأَسْتَفْزِزُ مَنْ أَسْطَعَتْ مِنْهُمْ بَصُوتَكَ وَأَجْلِبَ عَلَيْهِمُ بِخَيْلِكَ وَرَجِلِكَ وَشَارِكُهُمْ فِي الْأَمْوَالِ وَالْأَوْلَادِ وَعِدُّهُمْ^ج
وَمَا يَعِدُهُمُ الشَّيْطَانُ إِلَّا غُرُورًا

And incite [to senselessness] whoever you can among them with your voice and assault them with your horses and foot soldiers and become a partner in their wealth and their children and promise them." But Satan does not promise them except delusion.

Mujahid said, “With idle entertainment and singing”, Ad-Dahhak is reported to say the same. Ibn al-Qayyim said, “Everyone who speaks in any way that is not obedient to Allaah, everyone who blows into a flute or other woodwind instrument, or who plays any haram kind of drum, this is the voice of the Shaytaan.”

We can establish from this ayah that the general meaning is every call to disobey Allaah and this was what Ibn Jareer at-Tabari said in his tafseer as well, he said, “and in it (falsehood) is singing.”

In al-Furqan 25:72,

² Ighathaat ul-Lahfan 1/285

وَالَّذِينَ لَا يَشْهَدُونَ الزُّورَ وَإِذَا مَرُّوا بِاللَّغْوِ مَرُّوا كِرَامًا

And [they are] those who do not testify to falsehood, and when they pass near ill speech, they pass by with dignity.

Abu Bakr al-Jassas reported that Abu Haneefah said about falsehood, “music and singing.”³ Mujahid said, “They do not hear singing”. Imam at-Tabari said, “They do not testify to a thing from falsehood, or shirk or singing, or lying.” Muhammad ibn al-Hanafiyyah (son of Ali ibn Abi Talib) said, “Singing and entertainment.”

Allaah said in An-Najm 53:59-61

أَفَنُ هَذَا الْحَدِيثِ تَعْجِبُونَ. وَتَضْحَكُونَ وَلَا تَبْكُونَ. وَأَنْتُمْ سَمِدُونَ

**Then at this statement do you wonder? And you laugh and do not weep.
While you are proudly sporting?**

The word سمدون means “sing to us” in the Yemeni dialect as that is what Ibn Abbas said, and similar to what Ikrimah said.

Conclusion

These verses and their explanation by the righteous generations are clear on the prohibition of musical instruments and, in particular, singing. How can one argue that the Quraan does not say anything on the matter when we have verses like the above? For sources, you can refer to Tafseer at-Tabari, Tafseer ibn Katheer where these traditions are mentioned.

³ Ahkam al-Quran 5/213

Section 2.2 Evidences from the Sunnah

Imam al-Bukhaari narrated (5590) that the Messenger of Allaah (peace and blessings upon him) said, “From among my followers there will be some people who will consider illegal sexual intercourse, the wearing of silk, the drinking of alcoholic drinks and the use of musical instruments, as lawful.”

Ibn Majah (4020) narrated from Abu Maalik al-Ash’ari that the Messenger of Allah (ﷺ) said “People among my nation will drink wine, calling it by another name, and musical instruments will be played for them and singing girls (will sing for them). Allaah will cause the earth to swallow them up, and will turn them into monkeys and pigs.” Classified as Saheeh by Al-Albani.

At-Tirmidhi narrated (2212) from ‘Imraan ibn Husayn that the Messenger of Allaah (peace and blessings upon him) said, “In this Ummah there shall be collapsing of the earth, transformation and Qadhf.” A man among the Muslims said: “O Messenger of Allaah! When is that?” He said: “When singing slave-girls, musical instruments, and drinking intoxicants spread.”⁴

Muslim (2114) narrated from Abu Hurayrah (may Allaah be pleased with him) that the Messenger of Allaah (peace and blessings upon him) said, “The bell is a musical instrument of Shaytaan.”

Abu Dawood (3685) narrated from Abdullah ibn Amr ibn al-‘Aas that the Prophet (ﷺ) forbade wine (khamr), game of chance (maysir), drum (kubah), and wine made from millet (ghubayrah), saying: “Every intoxicant is forbidden.”

Abu Dawood (4924) also narrated that Nafi’ said: “Ibn Umar heard a pipe (a musical instrument), put his fingers in his ears and went away from the road. He said to me: Are you hearing anything? I said: No. He said: He then took his fingers

⁴ Al-Albani classified it as Saheeh in Tahreem al-Aalat at-Tarb (pg. 63) and Ash-Shawkani said it is Hasan li-Ghayrihi in Nayl al-Awtar (8/262)

out of his ears and said: ‘I was with the Prophet (ﷺ), and he heard like this and he did like this.’” Al-Albani authenticated both chains.

Ibn al-Jawzi narrated from Ibn Abbas that the Messenger of Allaah peace and blessings upon him said, “I was sent to abolish the drum and flute.”⁵

Al-Bazzar narrated in his Musnad that the Messenger of Allaah peace and blessings upon him said, “Two sounds are cursed in the world and the hereafter: flute during (times of) pleasure and bell during (times of) calamity.”⁶

Now we will quote some narrations which although are weak have been presented to strengthen the reports we have already mentioned, meaning we are not basing our arguments on the following ahadeeth but mentioning them for emphasis.

Abu Umamah al-Bahili (may Allaah be pleased with him) said that the Messenger of Allaah (peace and blessings upon him) said, “Indeed Allaah sent me as mercy and guidance to the worlds and he has commanded me to break the flutes, the lutes, musical instruments and idols that are worshipped in ignorance...”⁷

The mother of the believers Aisha (may Allaah be pleased with her) said that the Messenger of Allaah (peace and blessings upon him) said, “My Lord has commanded me to reject the tanbur⁸ and the flutes.”⁹

At-Tabarani narrated from Ibn Abbas (may Allaah be pleased with them both) that the Messenger of Allaah (peace and blessings upon him) prohibited six things: intoxicants, gambling, musical instruments, flutes, daff and drum.¹⁰

⁵ Talbees Iblees (p. 287) with a good chain.

⁶ Musnad al-Bazzar (1/377, 790), Saheeh li-Ghayrihi

⁷ Majma’ az-Zawaa’id (5/72), al-Haythami said, “In it is Ali ibn Zayd and he is weak.”

⁸ It is a stringed musical instrument.

⁹ Al-Kamil Fi’d Du’afa (1/386), Munkar.

¹⁰ Al-Mu’jam al-Aswat (no. 7384). Weak because of Hafs ibn Umar.

Conclusion

These ahadeeth are sufficient to prove that the playing of musical instruments is something prohibited as it is mentioned alongside things which are known to be prohibited such as intoxicants and unlawful sexual intercourse. If you argue for the permissibility of these instruments, you are merely fulfilling what the Prophet (peace and blessings upon him) already foretold would happen and proving to the people that the end of times are close and nearly upon us.

Section 2.3 Evidence from the Salaf

Abu Bakr (may Allaah be pleased with him) called singing the musical instrument of Shaytaan as recorded by the Shaykhayn.¹¹

Abdullah ibn Umar (may Allaah be pleased with them) forbade singing and once, he passed by a slave girl who was singing and said, “If Shaytaan would have left someone, he would have left her.”¹²

Similarly, Ibn Umar passed by a group of pilgrims and from them was a man who was singing so Ibn Umar said, “May Allaah not hear you, may Allaah not hear you.”¹³

A man named Adi was singing and shaking his head for amusement, when the mother of the Believers Aisha (may Allaah be pleased with her) saw that, she said, “Uff! A Shaytaan! Get him out! Get him out!”¹⁴

Al-Qasim ibn Muhammad (may Allaah have mercy on him) said: “I forbid you from singing and urge you to hate it”. A man asked whether it was unlawful. Al-Qasim replied: “Listen my nephew, when Allaah separates the truth from falsehood, with which will He place singing?”¹⁵

Imam of ash-Sham Al-Awzaa’i narrated from Umar ibn Abdul Azeez (may Allaah have mercy on him) that he wrote to his governor Umar ibn al-Waleed and called openly playing musical instruments as innovation.¹⁶

¹¹ Al-Bukhaari (949) and Muslim (892).

¹² Al-Adab al-Mufrad (784), Hasan.

¹³ Tham al-Malahi of Ibn Abi Dunya (pg. 48), Saheeh.

¹⁴ Al-Adab al-Mufrad (1247) with a Hasan Chain.

¹⁵ Tham al-Malahi of Ibn Abi Dunya (pg. 48), Weak but it has corroboration from Ibn Abbas’s Hadeeth. See Footnote 19.

¹⁶ Nasaa’i (4135) in his Sunan with a Saheeh chain

Qatadah reported from the Prophet (peace and blessings upon him) that when Allaah exiled Iblees to the earth, Allaah granted him things through which he misguides people, his voice (through which he misguides) is the flute.¹⁷

Ibn Abbas said, “The daff (a tambourine but without the rings) is prohibited, musical instruments are prohibited, the drum is prohibited and the flute is prohibited.”¹⁸

Abdullah ibn Abbas (may Allaah be pleased with him) was asked by a man about singing, whether it is permissible or prohibited, he said, “Have you considered the truth and falsehood when they come on the Day of Judgment? Where will singing be then?” The man replied, “It will be with falsehood.” Ibn Abbas then said to him, “Go away, for you have given yourself the answer.”¹⁹

Al-Fudayl ibn ‘Iyaad (may Allaah have mercy on him) said, “Singing is the incantation to unlawful sexual intercourse” and Yazeed ibn al-Waleed said, “Singing is the caller to unlawful sexual intercourse.”²⁰

Al-Fudayl ibn ‘Iyaad also said, “Singing is the leader of immorality.”²¹

The companions of Abdullah ibn Masoud (may Allaah be pleased with him) would take musical instruments and break them.²²

It was also narrated from Ibn Umar, Anas ibn Maalik, and Abu Hurayrah (may Allaah be pleased with them) that singing makes hypocrisy grow in the heart.²³

¹⁷ Musannaf Abdur Razzaq (11/368). It is Mursal but it is supported by evidences in the Quraan and Sunnah as ibn Qayyim said in Ighathat al-Lahfan (1/271)

¹⁸ As-Sunan al-Kubra (10/376). The chain of narration is from Abu Hisham from Ibn Abbas. Al-Albani said in Tahreem al-Aalat al-Tarb (pg. 92) if the narrator Abu Hisham is Abu Hisham al-Sanjaari then it is Saheeh. Otherwise Abu Hisham is unknown as Ath-Thahabi ruled.

¹⁹ Ighathaat al-Lahfan (1/313)

²⁰ Ibid. (1/316)

²¹ Ibid. (1/499)

²² Musannaf ibn Abi Shaybah (9/57), Saheeh chain.

²³ Fath al-Bari (2/164-165)

Abdullah ibn Masoud said, “Singing makes hypocrisy grow in the heart” ²⁴
Alqamah ibn Qays ²⁵ and Ibraheem an-Nakhaa’i said the same. ²⁶

Abu’d Darda (may Allaah be pleased with him) said, “(The forbidden) poetry is the musical instrument of Shaytaan.” ²⁷

Abdullah ibn Masoud also said, “If a man mounts a steed without mentioning Allaah's name, Shaytaan rides with him and says, ‘sing’ If he is unable to sing, then he says ‘wish’ (for dunya).”²⁸

Anas ibn Maalik said, “The most evil of earnings is the earning of Zamzarah (a type of flute that shepherds use).”²⁹

Sa’eed ibn al-Musayyib said, “I hate singing and I love poetry.”³⁰

Isma’eel ibn Abi Khalid said that ash-Sha’bi disliked the payment of a singer and said, “I dislike to consume it (i.e the money from it)”³¹

When the generations from the Salaf use to say they disliked such and such, it was understood as prohibition.

Al-Qadhi Shurayh said, “Verily, the angels do not enter the house in which a daff is played.”³²

And it is also narrated that a man broke a mandolin belonging to another man, and the latter took his case to al-Qadhi Shurayh. But Shurayh did not award him any

²⁴ Tham al-Malahi, as-Sunan al-Kubra (10/223). Mursal but what’s most authentic in it is that it is a proven saying of Ibn Masoud.

²⁵ As-Suyooti in Makhtoot Maktaba Shaykhana Hammad al-Ansari (pg. 4)

²⁶ Tham al-Malahi, Tafseer al-Baghawi.

²⁷ Musannaf Ibn Abi Shaybah (13/522)

²⁸ Musannaf Abdur Razzaq (10/397) with a Sound Chain

²⁹ Ibn Abi Dunya in Tham al-Malahi with a Good chain.

³⁰ Musannaf Abdur Razzaq (11/6), Saheeh.

³¹ Musannaf ibn Abi Shaybah (8/9), Saheeh

³² Ibid, Saheeh.

compensation (i.e. he did not make the first man pay the cost of the mandolin, because it was prohibited and had no value).³³

Ad-Dahhak said, “Singing is corruption for the heart and displeasing to the Lord.”

³⁴

Ma'mar said, Iyaas was asked about playing the lute so he said, “If I were to judge between the actions of the people of Paradise and the actions of the people of Hell, I would not consider the lute to be among the actions of the people of Paradise.”³⁵

Al-Qasim said, “Singing is from falsehood.”³⁶

Conclusion

So how can one after seeing the extreme dislike and prohibition on both musical instruments and singing from the righteous generations think that listening to them could be tolerated, or even worse, term them as permissible?

³³ Ibid (5/395), Saheeh

³⁴ Ighathaat al-Lahfaan (1/250)

³⁵ Abdullah in al-'Ilal (3/39)

³⁶ Al-Jami Fi as-Sunan (pg. 262)

Section 2.4 Evidence from Ijma' (Consensus)

Sub-Section 1: Definition of Ijma'

Ijma' or Consensus is defined as the unanimous agreement of the mujtahid scholars after the death of the Prophet, peace and blessings upon him.

Az-Zarkashi said, "It is the unanimous agreement of the mujtahid scholars of the ummah of Muhammad (peace and blessings upon him) after his death concerning some issue at any particular time."³⁷

At-Taftazaani said: "The consensus of the mujtahideen scholars from the nation of Muhammad, peace and blessings be upon him, in an era, regarding a shar'i ruling, and the meaning of 'consensus' is the mutual agreement in belief, statement, or action; and it is restricted to the mujtahideen scholars, as there is no consideration for the agreement of the common people."³⁸

Sub-Section 2: Ijma' is a shar'i evidence

Ijma' is one of the shar'i evidences and no one denies it except an individual upon misguidance, some scholars going as far to declare the one who denies Ijma' as having disbelieved.

Shaykh al-Islam Ibn Taymiyyah said: "The consensus of this ummah constitutes shar'i proof, because Allah, may He be exalted, has told us that they enjoin all that is good and forbid all that is evil. If they agreed on making permissible something that is forbidden, or waiving an obligatory duty, or prohibiting something that is permissible, or saying something false about Allah, may He be exalted, or any of His creation, that they would be described as enjoining what is evil and forbidding what is good".³⁹

³⁷ Al-Bahr al-Muheet (6/379 of Az-Zarkashi

³⁸ Sharh al-Talweeh 'Ala al-Tawdeeh (2/82)

³⁹ Majmoo' al-Fatawa (28/125)

Al-Qadhi Abu Ya'la said: "Ijma' constitutes binding proof with which one should comply and it is prohibited to go against it; it is not possible for the ummah to agree on error."⁴⁰

Ibn Hazm said: "Whoever goes against it – that is, consensus – after coming to know of it, or after proof has been established on the basis of consensus, is deserving of the warning mentioned in the verse (4:115)".⁴¹

Abu Ishaq ash-Shirazi stated: "Ijma' is one of the evidence of Shar'i evidences. However, An-Nadham ⁴² and the Rafidah hold the view that it is not a proof."⁴³

Abu'l Khattab al-Kalwathani said: "The Ijma' of the scholars of the time is conclusive proof, and the Ummah does not unite upon error. This is the view of all the scholars However, al-Nadham said that it is not a proof."⁴⁴

Abu'l Fath Ibn Burhan, said: "Ijma' is conclusive proof, (a view) in contrast to the Rafidah."⁴⁵

'Ala ad-Deen as-Samarqandi stated: "The entirety of the Ahl al-Qiblah (i.e Muslims) said that the Ijma' of each era of the Ummah is correct and a proof, and it necessitates definitiveness in knowledge."⁴⁶

Ibn al-Hajib said: "An-Nadham and some of the Rawafidh (Shias) opposed its (Ijma) evidence [...] and it is proof near all (scholars) and it is not valid near an-Nadham, some of the Khawaarij and Shia" and Saad ad-Deen At-Taftazaani

⁴⁰ al-'Uddah fi Usool al-Fiqh (4/1058)

⁴¹ Maraatib al-Ijma' (pg. 7)

⁴² He is Abu Ishaq Ibraheem ibn Sayyar an-Nadham. Ath-Thahabi said of him, "Shaykh of the Mutazilah [...] He spoke about destiny (Qadar), delving into various matters, and he is the teacher of Al-Jahidh.", see Siyar A'lam an-Nubala' (10/542). Imam al-Haramayn said in Talkhees Usool al-Fiqh (pg. 366), "The first to deny Ijma' was An-Nadham."

⁴³ Al Luma' fi Usool-Fiqh (pg. 48)

⁴⁴ At-Tamheed Fi Usool al-Fiqh (3/224)

⁴⁵ Al-Wusool Ila al-Usool (2/72)

⁴⁶ Meezan al-Usool (pg. 534)

said in his Hashiyah: “And it is -meaning ijma'- a proof near all the scholars, so if it is said that An-Nadham, the Shia and some Khawaarij opposed (that) so we say, their opposition is of no significance because they are few from the people of desires and innovation, they came after the agreement was established.”⁴⁷

Shihab ad-Deen al-Qurafi said: “It is -meaning ijma'- near all proof in opposition to An-Nadham, the Shia and the Khawaarij.”⁴⁸

‘Ala ad-Deen al-Bukhaari said: “Ijma’ is conclusive proof near the Muslims and from the people of desires who did not make it as evidence: Ibraheem an-Nadham, al-Qashani from the Mutazilah, the Khawarij and many of the Rawafidh.”⁴⁹

Conclusion

Therefore, the one who does not see Ijma’ as a source of evidence is a misguided individual, an innovator who has left the fold of Ahlus Sunnah wa’l Jama’ah.

Sub-Section 3: The Views of Scholars on the One who Denies Ijma’

The scholars differed on the one who denies the authority and validity of consensus as evidence and a foundational source. One group declared the one who denies Ijma’ as an innovator whereas the other said that it makes one a disbeliever.

Those who wholly denied it, then they were takfeered by al-Fazari as Az-Zarkashi said ⁵⁰, some people of Usool as Ibn al-Hajib reported ⁵¹, al-Razi also attributed it to some of the jurists.⁵² Al-Qadhi ‘Iyyad also reported from some scholars on the

⁴⁷ Mukhtasar al-Muntaha’ al-Usooli of Ibn Hajib (2/30)

⁴⁸ Sharh Tanqeeh al-Fusool (pg. 301)

⁴⁹ Kashf al-Asrar (3/252)

⁵⁰ Al-Bahr al-Muheet (6/449)

⁵¹ Mukhtasar as-Su’al wa’l Aml (1/505)

⁵² Al-Mahsool Fi Usool al-Fiqh (4/209)

takfeer of the one who denies Ijma' ⁵³. Some scholars who wouldn't takfeer until more details were known were Abu Ya'la, Fakhr ad-Deen al-Razi and some of the people of Usool mentioned by Ibn al-Hajib.

'Ala ad-Deen al-Bukhaari said: "He disbelieves who contradicts the principle of consensus by saying ijma is not evidence."⁵⁴

As-Sighnaqi said, "Whoever rejects ijma' then he has made his religion void like he who rejects the report of the Messenger of Allaah peace and blessings upon him in its principle, his religion is void."⁵⁵

Al-Fanari said: "When Ijma' of the Companions is established during their era, it is treated like verse or a mutawatir ⁵⁶ hadith, and it is definitive evidence. He disbelieves who denies its ruling, just like he who wholly denies ijma' as evidence, and it is the view of our scholars."⁵⁷

Ibn al-Hammam, with the commentary of his student, Ibn Ameer al-Haaj, said: "Ijma' is a definitive proof according to Ummah except for those who do not accept it among some of the Khawarij and Shia. This is because they –The Khawaarij and Shia- with their transgressions only emerged after consensus was mass transmitted from the Sahabah and Tabi'een on its (use as) evidence."⁵⁸

Muhammad ibn Ali ash-Shawkaani said: "Ijma' of the Companions is evidence without any difference, and al-Qadhi Abd al-Wahhab transmitted from a people amongst the innovators that their Ijma' (i.e of the companions) is not evidence."⁵⁹

Conclusion

⁵³ Ash-Shifa Bi-Ta'reef Huqooq al-Mustafa (2/291)

⁵⁴ Kashf al-Asrar (3/261)

⁵⁵ Al-Kafi Sharh al-Bazdawi (4/1630)

⁵⁶ Meaning Massly transmitted: So many people report it that it is impossible for them all to lie on it.

⁵⁷ Fusool al-Badaa'I Fi Usool ash-Sharaa'i (2/309)

⁵⁸ At-Taqreer wa'l Tahbeer (23/106)

⁵⁹ Irshaad al-Fuhool Ila Tahqeeq al-Haqq Min 'Ilm al-Usool (pg. 81)

Ijma' is one of the sources of the Sharee'ah with the scholars differing on if someone who denies it is considered a disbeliever or not. Another important thing to note is when an ijma' is established with its conditions met, it is solid evidence and must be followed.

Sub-Section 4: Ijma' on the Prohibition of Musical Instruments

From the 3rd century all the way till the 14th century, scholars throughout have consistently narrated an ijma' on the prohibition of musical instruments, with some even saying the one who goes against this ijma' is a disbeliever.

Ijma' during the time of the Companions

In an aforementioned hadeeth in Section 2.3, we quoted from An-Nasaa'i a hadeeth about Umar ibn Abdul Azeez. The letter he wrote to his governor is given below:

The share that your father gave to you was the entire Khumus, but the share that your father is entitled to is the same as that of any man among the Muslims, on which is due the rights of Allah and His Messenger, and of relatives, orphans, the poor and wayfarers. How many will dispute with your father on the Day of Resurrection! How can he be saved who has so many disputants? And your openly allowing musical instruments and wind instruments is an innovation in Islam. I was thinking of sending someone to you who would cut off your evil long hair.

Umar ibn Abdul Azeez calls the action of ibn al-Waleed an innovation. An innovation is something that is newly introduced, the introduction of something which had no similar thing before it.

In al-Ayn which is one of the oldest Arabic dictionaries, under the chapter, "al-Ayn wa'd daal wa'l Baa", it says: "Innovation: What has been introduced after the Prophet (peace and blessings upon him and his family) from desires and actions."

In Tahtheeb al-Lugha (Ba, Da, Ayn), it says: “Anyone who introduces something that was not previously established is said to have been innovated. That’s why someone who goes against the established Sunnah is called an innovator because he introduces something into Islam that was not practiced by the early generations. It is narrated with an authentic chain of transmission from the Prophet (peace be upon him) that he said: ‘Beware of newly-invented matters, for every newly-invented matter is an innovation, and every innovation is misguidance.’”

Therefore, we can establish that Umar ibn Abdul Azeez rejected the playing of musical instruments because it contradicted the consensus of his time (the Salaf) that musical instruments are among the prohibited matters in the Sharee’ah. Umar ibn Abdul Azeez himself was a Tabi’ who saw and lived amongst some of the companions, Ath-Thahabi said about him: “al-Imam, al-Haafidh, al-Allamah (the scholar), al-Mujtahid, az-Zahid (the ascetic), al-Aabid (the worshipper), as-Sayyid (the master), Ameerul Mumineen Haqqan (the truthful Leader of the believers), al-Khalifah (the Caliph), al-Rashid (the rightly guided) [...] He narrated from Abdullah ibn Ja’far ibn Abi Talib (Companion), Sa’ib ibn Yazeed (Companion), as-Sahl ibn Saad (Companion) [...] and he was from the Mujtahideen Imams and was from the rightly guided caliphs [...] and was a just Imam, may Allaah have mercy upon him and be pleased with him”⁶⁰

Therefore after seeing this, it should be to no one’s surprise that many of the scholars also narrated a consensus on the prohibition of musical instruments after him.

3rd Century

1. Ibn Jareer at-Tabari

⁶⁰ Siyar ‘Alam an-Nubala’ (5/115)

He said: “it is known that what I mentioned, such as bracelets, flutes, and musical instruments, and similar things that involve disobeying Allaah through indulgence, are more deserving and obligatory for a Muslim to change from their disliked form that leads to disobedience to Allaah [...] And is similar to what we have mentioned in that, reports have come from the righteous generations among the scholars of the Ummah, and the Tabi’oon acted upon it with goodness.”⁶¹

2. Zakariyyah ibn Yahya as-Saaji.

Ibn Rajab said, “Zakariyyah ibn Yahya in his book ‘Ikhtilaaf al-‘Ulama’ narrated a consensus upon the prohibition of singing except Ibraheem ibn Saad al-Madani and Ubaydullah ibn al-Hasan al-‘Anbari, Qadhi of Basrah ⁶², and this is regarding singing without musical instruments, for we do not know from anyone from the righteous generations who permitted it. This is only known from some of the later people from the Dhahiriyyah and Soofiyah who are not considered.”⁶³

4th Century

1. Abu Bakr al-Aajurri

He said in the introduction of his book: “If a questioner asks about these amusements that many people engage in and are amused by it, such as backgammon, chess, flutes, whistles, musical instruments, trumpets, drums,

⁶¹ Tahtheeb al-Aathar, Musnad Ali ibn Abi Talib (pg. 239)

⁶² The kind of singing mentioned here does not mean they permitted the modern kind of singing. Shaykh al-Fawzan (may Allaah preserve him) said: “What Ibrahim ibn Sa’d and ‘Ubayd-Allah al-‘Anbari said about singing is not like the kind of singing that is known nowadays, for they would never have allowed this kind of singing which is the utmost in immorality and obscenity.”

⁶³ Nuzhat al-Asmaaa’ (pg. 60)

lutes and tambourines' [...] The answer, with the help of Allaah, is that all that the inquirer asked about, is false and prohibited. It is prohibited to engage in it, and it is prohibited to listen to it as evidenced by the Book of Allaah, the Sunnah of the Messenger of Allaah (peace and blessings upon him), and the statements of the Companions, may Allaah be pleased with them and the statement of all of the scholars of the Muslims.”⁶⁴

5th Century

1. Abu'l Tayyeb at-Tabari ash-Shafi'i

He said, “The scholars of various regions unanimously agreed on the disapproval of singing and its prohibition.”⁶⁵ He also said as quoted by Ibn al-Qayyim, “As for the lute, tambourine, and all other amusements, they are forbidden, and the one who listens to them is sinful. Following the community (i.e the ummah) is more proper.”⁶⁶

2. Ibn Abd al-Barr al-Maaliki al-Qurtubi

In his book Al-Kafi ⁶⁷, he said: “From the earnings on which all are gathered on its prohibition: Usury, dowries of prostitutes, singing and all falsehood associated with flutes and all kinds of gambling.”

3. Abu'l Fath Sulaym ibn Ayyub al-Razi

Ibn Hajar al-Haytami said, “And from those who also narrated an ijma' upon that –meaning upon prohibition of musical instruments- imam of our later companions (i.e of the Shafiis) Abu'l Fath Sulaym ibn Ayyub al-Razi. Indeed

⁶⁴ Tahreem an-Nard wa'sh Shatranj wa'l Malahi of al-Aajurri. Also see Nuzhah al-Asmaa' (pg. 444) wherein Ibn Rajab says, “And Abu Bakr al-Aajurri and other than him narrated a consensus upon that (i.e prohibition of musical instruments).”

⁶⁵ Talbees Iblees (pg. 245).

⁶⁶ Ighathat al-Lahfan (1/230)

⁶⁷ Al-Kafi (pg. 191)

he said in his taqreeb after narrating the hadeeth on prohibition of the Kubah (Tabal, a drum) ‘and in it there is another hadeeth: Verily, Allah forgives every sin except for the owner of 'aratbah or kuba.’ Al-‘Aratbah is the lute, and on this, there is an ijma.’”⁶⁸

4. Jamal al-Islam ibn Bazri

Ibn Hajar al-Haytami said, “And Jamal al-Islam Ibn Bazri said: ‘For the shubaba (flutes), it is unquestionably prohibited by explicit text. It is obligatory to denounce them, and listening to them is prohibited. None of the early scholars, not one from them permitted it or deemed their use permissible.’”⁶⁹

5. Ibn Abi ‘Asroon at-Tameemi

He said regarding ash-shubaba (flutes): “The correct view is their prohibition. In fact, they are more deserving of prohibition than all other musical instruments - which are agreed upon to be prohibited - for its intense enjoyment

6. Al-Baghawi

Al-Baghawi said, “And they agreed upon the prohibition of flutes, amusements and musical instruments.”⁷⁰

6th Century AH

1. Ibn Qudamah al-Hanbali

He said: “The musical instruments, such as the tambourine, flute, and shubaba (type of flute), are instruments for disobedience, with Ijma.”⁷¹

⁶⁸ Kaf ar-Ra’a’ (pg .124)

⁶⁹ Kaf ar-Ra’a’ (pg. 114)

⁷⁰ Sharh as-Sunnah (12/383)

⁷¹ Al-Mughni (9/132)

2- Abdul Kareem ibn Muhammad al-Rafa'i ash-Shafi'i

Ibn Hajar al-Haytami said, “Al-Rafaa'i said in “Al-Azeez” [...] ‘the Iraqi flutes and what is played with it using strings are prohibited without dispute.’”⁷²

7th Century AH:

1. Abu Amr ibn as-Salaah

Ibn Qayyim said, “Ibn as-Salaah said, ‘As for permitting this type of singing and permitting it then it is known that when the daff and shubaba and ghina are combined then hearing that is prohibited near the imams of the schools of thought and others than them from the scholars of the Muslims and it is not proven from one of them who is reliable with his saying regarding ijma’ and Ikhtilaaf” that he permitted this (type of) singing.’”⁷³

2. Abu'l Abbas Ahmad ibn Umar al-Qurtubi

He said, “As for musical instruments and stringed and Kubah (a long and narrow drum), there is no difference of opinion about the prohibition of listening to them. I have not heard from anyone who is reliable in his statement among the early generations or the imams of the later generations who considered their listening permissible.”⁷⁴

3. An-Nawawi ash-Shafi'i

He said, “The Iraqi flutes and what is played with using strings are prohibited without dispute.”⁷⁵

8th Century AH:

⁷² Kaf ar-Ra'a' (pg. 122)

⁷³ Ighathat al-Lahfan (1/228), Fatawa ibn as-Salaah p. 300)

⁷⁴ Kashf al-Qina' (pg. 72)

⁷⁵ Rawdah at-Talibeen (8/205)

1- Ibn Taymiyyah al-Hanbali

He said, “The view of the four Imams is that all kinds of musical instruments are haram. It was reported in Saheeh al-Bukhaari and elsewhere that the Prophet (peace and blessings of Allaah be upon him) said that there would be among his ummah those who would allow zina (unlawful sexual intercourse), silk, alcohol and musical instruments, and he said that they would be transformed into monkeys and pigs... None of the followers of the imams mentioned any dispute concerning the matter of music.”⁷⁶

2- Ibn al-Qayyim al-Hanbali

He said, “The sounds of musical instruments, which have been authentic to the Prophet as prohibited, and that there will be among his Ummah those who will seek to make them permissible with the most authentic chains of narration. The scholars unanimously agreed on the prohibition of some of them, and the majority of them declared the prohibition of all of them.”⁷⁷

3. Ibn Rajab al-Hanbali

Ibn Rajab said, “Listening to musical instruments is not known to have been permitted by anyone among the early generations. Instead, it is known to have been permitted by some of the later followers of the Dhahiriyyah and Soofiyah who are not taken into consideration and whoever says something like this has indeed spoken falsely.”⁷⁸

4. Ibn Muflih al-Hanbali

Ibn Muflih narrated from Qadhi ‘Iyyad that he mentioned an ijma’ on the disbelief of he who says singing is permissible.”⁷⁹

⁷⁶ Majmoo’ al-Fatawa (11/576)

⁷⁷ Madarij as-Salikeen (1/491)

⁷⁸ Nuzhah al-Asmaa’ (pg. 69)

⁷⁹ Al-Furoo’ (6/494), this isn’t entirely correct but still worthy enough to mention.

5. Shihab ad-Deen al-Athraa'i ash-Shafi'i

Ibn Hajar al-Haytami said that al-Athraa'i said regarding the shubaba (flutes), "They are absolutely prohibited, and in fact, they are more deserving of prohibition than all other musical instruments that are unanimously agreed upon as being prohibited."⁸⁰

9th Century AH:

1- Al-Bazazi al-Hanafi

Ibn Nujaym al-Hanafi said, "And Al-Bazazi transmitted in al-Manaqib an Ijma' upon the prohibition of singing when it is with musical instruments like the lute."⁸¹

10th Century AH:

1- Ibn Hajar al-Haytami ash-Shafi'i

He said, "The strings and musical instruments, such as the tambourine, oud, and sanj, along with other well-known instruments among people of amusement, immorality, and foolishness, all of these are prohibited without any disagreement. Whoever claims otherwise has made a mistake or let his desires overcome him, to the point of deafening and blinding him. His guidance has been hindered, and he has deviated from the paths of righteousness."⁸²

13rd Century AH:

1- Mahmood Al-Alusi (in his Tafseer "Rooh al-Ma'ni)

2- Ahmad at-Tahtawi al-Hanafi

⁸⁰ Kaf ar-Ra'a' (pg. 122)

⁸¹ Al-Bahr al-Ra'iq (7/89)

⁸² Kaf ar-Ra'a' (pg. 118)

He said in his Hashiyah of Maraqi al-Falah: “As for dancing, clapping, screaming, beating of stringed instruments and castanets, and blowing trumpet [...], is indeed prohibited with consensus because it is the fashion of the disbelievers.”⁸³

Conclusion

It is without a doubt proven that musical instruments and singing were prohibited throughout the centuries by scholars from all four schools of thought from all parts of the lands of the Muslims, so how can people abandon so many scholars for the (mistaken) opinion of a minute group? There is no power and strength except with Allaah.

⁸³ Hashiyah ‘Ala Maraqi al-Falah (1/215)

Section 2.5 Evidence from the Four Schools of Thought

The predominant schools of thought are four: the Hanafi madhab of Abu Haneefah, the Maaliki madhab of Maalik ibn Anas, the Shafi'i madhab of Muhammad ibn Idrees ash-Shafi'i and the Hanbali madhab of Ahmad ibn Hanbal, may Allaah have mercy upon them all. They are unanimous in their prohibition of musical instruments and singing.

Sub-Section 1: Hanafi Madhab

We will first mention sayings of the main figures, they being the founder Abu Haneefah and his two companions Muhammad ibn al-Hasan and Abu Yoosuf. Then we will mention what the scholars of the Hanafis say.

Abu Haneefah, He is An-Nu'maan ibn Thaabit at-Taymi al-Kufi, Ath-Thahabi described him, "the Imam, Jurist of the nation, Scholar of Iraaq."⁸⁴

As for Abu Yoosuf He is Yaqoub ibn Ibraheem al-Ansari, Ath-Thahabi said, "He is the Imam, the Mujtahid, the Scholar, the Muhadith, Qadhi al-Qudah (High judge)."⁸⁵

As for Muhammad ibn al-Hasan, Ath-Thahabi said, "The Scholar, the Jurist of Iraaq."⁸⁶

Az-Zayla'i said, "Ala ad-Deen Isbijaabi said in Sharh al Kaafi: 'It is not permissible to rent (i.e take money) from singing, wailing, flutes, drum [...] there is no money for that, and all of this is the saying of Abu Haneefah, Abu Yoosuf and Muhammad because it is a sin.'"⁸⁷

⁸⁴ Siyar A'laam an-Nubala' (6/390)

⁸⁵ Ibid. (8/535)

⁸⁶ Ibid. (9/134)

⁸⁷ Tibyeen al-Haqaa'iq of Az-Zayla'i (5/126)

Similarly, Az-Zayla'i also said regarding theft which does not necessitate amputation, "And drums, tambourines, lutes and flutes, because these things have no value in their eyes (i.e in the eyes of Abu Yoosuf and Muhammad). Therefore, their damage is not guaranteed and it is obligatory to destroy them according to Abu Haneefah."⁸⁸

Mahmood al-Alusi said in Rooh al-Maani, "Imam Abu Bakr al-Tartusi mentioned in his book 'Tahreem as-Samaa' that Imam Abu Haneefah disliked singing and viewed it as a sin and likewise is the view of the people of Kufa, Sufyan, Hammad, Ibraheem, ash-Sha'bi and others than them, there is no difference between them in that and we do not know any difference from the people of Basrah in disliking that (i.e singing) and prohibiting it."⁸⁹

Ibn Qayyim said, "Abu Yoosuf said, concerning a house from which could be heard the sound of musical instruments: 'Go in without their permission, because forbidding evil actions is obligatory, and if it were not allowed to enter without permission, people could not have fulfilled the obligatory duty.'" (of enjoining what is good and forbidding what is evil)⁹⁰

As-Sarakhsi said, "It is not permissible to rent out anything related to singing, wailing, musical instruments, drums, or anything from vain amusement because it is sin, and renting for sinful purposes is invalid."⁹¹

Ibn Nujaym said, "Musical instruments, all of them are prohibited, even singing by playing the reed [...] and in al-Muheet: [...] hearing the sound of musical instruments is prohibited like the playing of the reed."⁹²

⁸⁸ Ibid (3/218)

⁸⁹ Rooh al-Ma'ani (11/69)

⁹⁰ Ighathat al-Lahfan, (1/425)

⁹¹ Al-Mabsoot (16/38)

⁹² Al-Bahr al-Ra'iq (8/215)

Ibn Aabideen said, “All musical instruments are prohibited, enter upon them without their permission to forbid what is wrong. [...] and in Al-Bazaziyyah⁹³: ‘Listening to the sounds of musical instruments like striking reeds and the like is also prohibited.’”⁹⁴

In Majma’ al-Anhar: “Listening of musical instruments is prohibited.”⁹⁵

In Al-Fatawa al-Hindiyyah which is one of the Hanafi fatwa collections: “If one possesses any of these musical instruments and amusements, it is disliked and sinful, even if they do not use them.”⁹⁶

Al-Kasani said: “As for the ruling of entering the house without permission [...] if the entry is to forbid what is evil like hearing the sound of flutes and musical instruments then enter upon them without their permission because forbidding evil is obligatory.”⁹⁷

Mahmood ibn Abi’l Qasim al-Hanafi said, “Indeed dancing, listening to singers [...] are things whose misguidance is evident near the people of Islam and Sunnah.”⁹⁸

Al-Bazazi al-Hanafi said in his fatawa that the listening to lutes, flutes, dancing and such amusement was introduced by As-Samiri when he made the calf for the Jews. He further said, “And it is narrated from the companion of al-Hidayah that the one who sings for the people, his testimony is not acceptable because he is gathering the people on a major sin and al-Qurtubi said that this singing [...] are prohibited by ijma’ near Maalik, Abu Haneefah, ash-Shafi’i and Ahmad.”⁹⁹

⁹³ This is the compilation of the rulings of the Hanafi scholar Al-Bazazi whom we quoted in the ijma’ section.

⁹⁴ Rad al-Muhtar (6/349)

⁹⁵ Majma’ Al-Anhar (2/556)

⁹⁶ Al-Fatawa al-Hindiyyah (5/373)

⁹⁷ Badaa’i as-Sanaa’i (5/125)

⁹⁸ An-Niha’ An’ ar-Raqs wa’l Istimaa’ (2/676)

⁹⁹ Fatawa al-Bazaziyyah (4/349)

Burhan ad-Deen al-Bukhaari al-Hanafi said, “Hearing the sound of musical instruments like the playing the wind instrument and other than that from musical instruments is prohibited.”¹⁰⁰

Thus it is soundly established from the Hanafi madhab that musical instruments and singing are impermissible.

Sub-Section 2: Maaliki Madhab

The founder of this madhab is the great scholar of Madeenah Maalik ibn Anas. Ath-Thahabi said, “He is the Shaykh al-Islam, Proof of the Nation, Imam of the land of the Hijrah¹⁰¹.”¹⁰²

Ibn Abdul Hakam, one of Imam Maalik’s students said, “Maalik was asked about singing, he said ‘it is not permissible, Allaah said (which means) {So what is beyond the truth except falsehood 10:32}’, so it was said to him ‘it is said that the people of Madeenah listen to it’ so he (Maalik) replied, ‘The one who listens to it is a transgressor in our view.’”¹⁰³

Ishaaq ibn Eesa said, “I asked Maalik about some people of Madeenah who allow singing, he said, ‘whoever does that in our view is a transgressor (faasiq).’”¹⁰⁴

Onto what the Maaliki said, Ibn Abi Zayd al-Qayrawani who was termed ‘little Maalik’ said, “It is not permissible for you to intentionally listen to all kinds of falsehood [...] and not to listen to anything from musical instruments and singing.”¹⁰⁵

¹⁰⁰ Al-Muheet al-Burhani Fi al-Fiqh al-Nu’mani (5/369)

¹⁰¹ It means Madeenah since the Prophet (peace and blessings upon him) emigrated to it. This event is called the Hijrah.S

¹⁰² Siyar A’lam an-Nubala’ (8/47)

¹⁰³ Mukhtasar Ibn Abdul Hakam with Sharh of al-Abhari (pg. 67)

¹⁰⁴ Abdullah ibn Ahmad in Al-‘Ilal (1/260), Ibn al-Jawzi in Talbees Iblees (pg. 244)

¹⁰⁵ Fawaqih al-Dawani (2/297)

Ibn Rushd al-Maaliki said, “As for the lute and Buq (A low-pitched brass wind instrument) then there is no difference of opinion that their use in weddings or other than it are not permissible.”¹⁰⁶

Abu’l Hasan al-Maaliki said, “It is not permissible for you to listen to a thing from musical instruments like the lute except the daff in marriages (This will be explained later).”¹⁰⁷

Ad-Dusooqi al-Maaliki said regarding the drum, “As for other than marriages, nothing is permissible from it with agreement other than the daff.”¹⁰⁸

Ibn al-Haaj al-Fasi al-Maaliki said, “As for the lute, tanbur, and rest of the musical instruments are prohibited and the one who listens to it is a transgressor (Faasiq).”¹⁰⁹

In Mawahib al-Jaleel, it says, “As for singing with a musical instrument, if it has strings like the lute (oud) and the tambourine, it is prohibited, and the same applies to the reed flute.”¹¹⁰

Al-Qurafi said: “In Al-Jawahir, the wine of a dhimmi (non-Muslim living under Muslim protection) is not guaranteed, nor is damage to musical instruments by breaking them or changing them from their original state.”¹¹¹

Therefore, the Maalikis also did not permit musical instruments and singing.

Sub-Section 3: Shafi’i Madhab

The founder of this madhab is the great Imam, Muhammad ibn Idrees ibn al-Abbas ibn Uthman ibn Shafi’ ibn Sa’ib ibn Ubayd ibn Abd Yazeed ibn Hisham

¹⁰⁶ Al-Bayan wa’t Tahseel (7/372-373)

¹⁰⁷ Kifayah al-Talib al-Rabani li-Risalah Ibn Abi Zayd al-Qayrawani (2/434).

¹⁰⁸ Hashiyah ad-Dusooqi (2/337)

¹⁰⁹ Al-Madkhal (3/99) and after it

¹¹⁰ Mawahib al-Jaleel (6/152) and after it

¹¹¹ Ath-Thakhirah (8/280)

ibn al-Muttalib ibn Abd Manaf al-Qurashi ash-Shafi'i, Ath-Thahabi described him as, "the Imam, Scholar of the time, Helper of Hadeeth, Jurist of the nation."¹¹² He is from the Ahl al-Bayt (People of the Household) of the Prophet (peace and blessings upon him) since he is from Bani al-Muttalib and the Prophet (peace and blessings upon him) said, "Bani al-Muttalib and Bani Hashim are one and the same."¹¹³

He took knowledge from great Imams of this nation such as Sufyan ibn 'Uyaynah, Maalik ibn Anas, Fudayl ibn 'Iyaad, Muhammad ibn al-Hasan (the student of Abu Haneefah). The likes of Imam Ahmad ibn Hanbal, Abu Thawr, and Ishaaq ibn Rahwayh were from the students of ash-Shafi'i.

What did this great Imam say on this subject? In al-Umm ¹¹⁴, he explains that if a man dies and bequeaths musical instruments from his property, if they are only used for playing, then they are impermissible to be taken by his heirs.

Al-Mawardi explains in Al-Haawi, "And if his drums are drums of entertainment and they are only suitable for entertainment then the bequest is wrong because drums of entertainment are prohibited."¹¹⁵

Imam ash-Shafi'i also says, "If someone breaks a tambourine, musical instrument, or drum of another person, if this is something suitable for purposes other than entertainment, then the one who broke it must compensate for the damage. However, if it is only suitable for entertainment, then there is no liability upon the person who broke it."¹¹⁶

¹¹² Siyar 'Alam an-Nubala' (10/5-6)

¹¹³ Buhkaari (3140)

¹¹⁴ Al-Umm (4/95-97)

¹¹⁵ Al-Haawi (1/70)

¹¹⁶ Al-Umm (4/225)

Abu'l Abbas al-Ramali said, "And it is known that ash-Shafi'i and his companions, they prohibit all types of musical instruments."¹¹⁷

Ibn Hajar al-Haytami said, "Al-Rafa'i in al-Azeez and An-Nawawi in al-Rawdah said, 'the Iraqi flutes and what is played with it using strings are prohibited without dispute.'"¹¹⁸

An-Nawawi said, "Singing with some of the instruments [...] like the tanbur (a stringed musical instrument), the lute, cymbal, and the rest of musical instruments and stringed instruments, using them and listening to them is prohibited."¹¹⁹

In Al-Zawajir 'An Iqtiraf Al-Kaba'ir, it is mentioned: "It is well-known without a doubt that Ash-Shafi'i prohibited various types of musical instruments. This view has been upheld by the companions of ash-Shafi'i to the later times from the people of Baghdad, Khorasan, Syria, land of the Turks, and those who dwell in the mountains, Al-Hijaz, beyond the river, and Yemen."¹²⁰

Zakariyyah ibn Muhammad al-Ansari said, "As for singing with musical instruments like the tambourine, oud, and all other musical instruments, such as flutes, strings, and the Iraqi flute, which is played alongside strings, as well as the reed pipe, which is a type of flute, it is forbidden to use them and listen to them. Likewise, it is prohibited to make them as they are considered symbols of sinful activities."¹²¹

Al-Baghawi (may Allah have mercy on him) stated that it is prohibited to sell all kinds of musical instruments such as mandolins, flutes, etc.¹²²

¹¹⁷ Hashiyah al-Ramali (4/345)

¹¹⁸ Kaf al-Ra'a' (pg. 122)

¹¹⁹ Rawdah at-Talibeen (8/205)

¹²⁰ Az-Zawajir An Iqtiraf Al-Kaba'ir, (2/907)

¹²¹ Asna al-Matalib Fi Sharh Rawdat al-Talib 4/344

¹²² Sharh as-Sunnah (8/28)

Therefore, ash-Shafi'i and his companions also prohibited musical instruments and singing.

Sub-Section 4: Hanbali Madhab

The founder of this madhab is the great Imam, the defender of the Sunnah, Ahmad ibn Hanbal. Ath-Thahabi said, "The true Imam, the truthful Shaykh al-Islam."¹²³

Abu Bakr Al-Khallaal said, "Abu Dawood as-Sijistaani informed us that Abu Abdullah Ahmad ibn Hanbal was asked about a man playing the tambourine or the drum and the like, whether it is obligatory for him to change (what he is doing). He replied, 'It is obligatory.'"¹²⁴

Abu Bakr al-Maroothi said, "I asked Abu Abdullah on breaking the tanbur, he said, 'Break it', I said, '(what about) the small tanbur with the little one?' he said, 'break it as well, when it is out in the open, break it.'"¹²⁵

Umar ibn Saleh said, "I saw Ahmad ibn Hanbal pass by a lute which was out in the open, so he went and broke it."¹²⁶

Hanbal, his nephew, said, "I heard Abu Abdullah say, 'I dislike the tabl and it is the drum, the Messenger of Allaah (peace and blessings upon him) prohibited it.'"¹²⁷

Abu Bakr al-Maroothi was asking Ahmad about breaking the drum, he asked what he should do if he goes to a funeral and hears the sound of the drum, Ahmad replied, "If you can break it then break it, otherwise leave."¹²⁸

¹²³ Siyar A'lam an-Nubala' (11/177)

¹²⁴ Al- Amr bi'l Ma'roof wa'n Naha 'An al-Munkar No. 1

¹²⁵ Ibid (pg. 54)

¹²⁶ Ibid.

¹²⁷ Ibid. (pg. 55)

¹²⁸ Ibid.

Ibn al-Jawzi said, “His son Abdullah reported from him that he said: “Singing produces hypocrisy in the heart; it doesn’t please me.” Isma’eel ibn Ishaq al-Thaqafi reported that Ahmad was asked about listening to poems (the kinds which are against shar’i ones) and he replied: “I dislike it. It is an innovation. One should not sit with them [people who sing them].”¹²⁹

He also said, “Ahmad was asked about an orphan selling a female slave who was a singer. He said, ‘she is not to be sold as a singer’. He was told, ‘she is worth thirty thousand if sold as a singer, but only twenty if sold as a regular slave.’ He said, ‘she is to be sold as a regular slave only.’”¹³⁰

Let us see what the Hanbali scholars say on the matter.

Al-Mardawi said, “In Al-Mustawab and Al-Targheeb and others, it (Singing) is prohibited with musical instruments, without any disagreement among us.”¹³¹

Ibn Muflih also said this in al-Furoo’.¹³²

Ibn Qudamah said, “Musical instruments are of three types which are prohibited. These are the strings and all kinds of flute, and the lute, drum and rabab (stringed instrument). Whoever persists in listening to them, his testimony should be rejected.”¹³³

Ibn Taymiyyah said, “It is not permissible to make musical instruments.”¹³⁴ and he said: “According to the majority of the jurists, it is permissible to destroy musical instruments, such as the tanbur [a stringed instrument similar to a mandolin]. This

¹²⁹ Talbees Iblees (pg. 203)

¹³⁰ Ibid. (pg. 204)

¹³¹ Al-Insaaf (12/52)

¹³² Al-Furoo’ (6/655)

¹³³ Al-Mughni (10/173)

¹³⁴ Majmoo’ al-Fatawa (22/140)

is the view of Maalik and is the more famous of the two views narrated from Ahmad.”¹³⁵

He also said, “Ibn al-Mundhir mentioned that the scholars agreed that it is not permissible to pay people to sing and wail... the consensus of all the scholars whose views we have learned about is that wailing and singing are not allowed. Al-Sha’bi, an-Nakhaa’i and Maalik regarded that as makrooh [i.e. haram]. Abu Thawr, an-Nu’man – Abu Haneefah (may Allaah have mercy on him) – and Ya’qub (Abu Yoosuf) and Muhammad, two of the students of Abu Haneefah said: it is not permissible to pay anything for singing and wailing. This is our view. And he said: musical instruments are the wine of the soul, and what it does to the soul is worse than what intoxicating drinks do.”¹³⁶

Ibn al-Qayyim said, “Anyone who has the slightest knowledge should not have any reservations about that – i.e., singing and musical instruments. The least that may be said is that it is the symbol of evildoers and drinkers of alcohol.”¹³⁷

Conclusion

None of the schools of thought, or the scholars from them permit the use of musical instruments and singing as it is understood today. Just like previous sections, these rulings are general and no specific case is made for those who say that if the meaning of a song with musical instruments is sound and not immoral, it is not prohibited. Rather the opposite is said (that they are prohibited generally). To those people who blindly follow their schools, why do you go away from these schools when it goes against your desires? Why do you not submit to them as you claim to do?

¹³⁵ Ibid. (28/113)

¹³⁶ Ibid. (10/417)

¹³⁷ Ighathaat al-Lahfan (1/228)

Section 2.6: Exceptions to the Prohibition

In the texts of the Sharee'ah, there are a few exceptions to the general ruling. In Chapter 1, Section 1.2, we discussed what “ghina” means and we mentioned some things such as the Nasb and Huda'. Things like these were not included in the definition of a 'singer', and so were not prohibited but were rather allowed. Similarly, the reading of poetry was also not prohibited as long as the poetry was of good content.

Many of those who try to give arguments for the permissibility of singing present these narrations from the righteous generations, however they do not understand that this type of ghina' was never contested in the first place. For example, Imam al-Bukhaari narrated from al-Bara, “When it was the day of Al-Ahzab (i.e. the clans) and Allaah's Messenger (ﷺ) dug the trench [...] I heard him reciting the poetic verses composed by Ibn Rawahah while he was carrying the earth, ‘O Allah! Without You we would not have been guided, nor would we have given in charity, nor would we have prayed. So, (O Allah), please send calmness upon us and make our feet firm if we meet the enemy, as they have rebelled against us. And if they intend affliction (i.e. want to frighten us, and fight against us) then we would not (flee but withstand them).’ The Prophet (ﷺ) would then prolong his voice at the last words.”¹³⁸

This kind of ghina' is not prohibited, rather it is permissible. In the same vein, Anasheeds are permissible and included in this category as long as they do not contain musical instruments.

We find in the Sunnah exceptions given to the instrument called a daff which is like a tambourine but without the rings along with the 'singing' (ghina) of women.

¹³⁸ Bukhaari (4106)

1. During the Two Eids (Eid al-Adha and al-Fitr)

It is narrated from Aishah (may Allaah be pleased with her), “Abu Bakr came to my house while two small Ansari girls were singing beside me the stories of the Ansaar concerning the Day of Bu’ath. And they were not singers. Abu Bakr said protestingly, ‘Musical instruments of shaytaan in the house of Allaah's Messenger!’. It happened on the Eid day and Allah's Messenger (ﷺ) said, ‘O Abu Bakr! There is an Eid for every nation and this is our Eid.’”¹³⁹ In another version, it mentions that they were singing with the daff.

It is clear from the above hadeeth and similar ones that young girls playing the daff and reading poetry in a melodious voice is not something prohibited during the days of Eid. Simply reciting poetry or such in a melodious voice does not make one a singer from the likes whom the righteous generations condemned.

2. At Weddings

In a narration from Bukhaari, Aishah (may Allaah be pleased with her) prepared a woman for marriage to a man from the Ansaar, the Messenger of Allaah said, “O Aisha, do you have any entertainment? Verily, the Ansaar are fond of entertainment.”¹⁴⁰

Badr ad-Deen al-‘Ayni said in his explanation of this hadeeth, “The scholars agreed upon the permissibility of entertainment at a wedding banquet, such as playing the daff and such like it.”

In the narration of Ibn Majah, the Messenger of Allaah (peace and blessings upon him) said to Aishah, “Did you send them a girl?” They said yes. The Prophet said, “Did you send someone to sing (yughni) with her?” She said no. The Prophet said,

¹³⁹ Bukhaari (952), Muslim (892)

¹⁴⁰ Bukhaari (4868)

“Verily, the Ansaar are a people who love poetry, so you should send someone along with her to say: Here we come, to you we come, greet us as we greet you.”¹⁴¹

It is narrated that ‘Aamir ibn Saad said, “I entered upon Qaradhah ibn Kaab and Abu Masoud al-Ansari during a wedding and there were some young girls singing. I said: ‘you are two of the Companions of the Messenger of Allaah who were present at Badr, and this is being done in your presence!?’ They said: ‘Sit down if you want and listen with us, or if you want you can go away. We were granted a concession allowing entertainment at weddings.”’¹⁴²

This also proves that this kind of entertainment is prohibited outside of weddings since these two companions call it a concession and concessions aren’t given except in prohibited matters.

3. Upon the arrival of a Respected Individual

At-Tirmidhi narrated from Buraydah that the Messenger of Allaah went out for one of his expeditions, then when he came back, a black slave girl came to him and said: “O Messenger of Allaah! I took an oath that if Allah returned you safely, I would beat the Duff before you and sing.” So the Messenger of Allaah said to her: “If you have taken an oath, then beat it, and if you have not then do not.”¹⁴³

The girls from the Ansaar also sang poetic verses with the daff when the Prophet arrived in Madeenah after he had escaped Makkah.¹⁴⁴

When he came back from the expedition of Tabook, he was met with a similar reception.¹⁴⁵

¹⁴¹ Ibn Majah (1900), Saheeh.

¹⁴² Nasaa’i (3383) in “Chapter on Entertaining with Singing and Daff, Hasan.

¹⁴³ Tirmidhi (3690)

¹⁴⁴ Al-Raheeq al-Makhtoom (pg. 193)

¹⁴⁵ Zaad al-Maad (3/551)

Conclusion

It should be noted that girls and women are the only ones allowed to play the daff and sing during these occasions, it is not permissible for men to do such things.

Al-Mubarakfoori said, “Such is the case with the permissible form of singing at the wedding feast; it is specifically for women and not for men.”¹⁴⁶

Ibn Taymiyyah said, “Because singing and playing the daff are things that women do, the Salaf used to call any man who did that a mukhannath (effeminate man), and they used to call male singers effeminate – and how many of them there are nowadays! It is well known that the Salaf said this.”¹⁴⁷

Abu Ubayd defined the daff as that which is played by women.¹⁴⁸

The general ruling of daffs and other instruments is that they are prohibited until there's a reason for them being excused such as the cases we have mentioned above.

¹⁴⁶ Tuhfat al-Ahwadhi (4/210)

¹⁴⁷ Majmoo' al-Fatawa (11/565)

¹⁴⁸ Ghareeb al-Hadeeth (3/64)

Chapter 3: Arguments for the Permissibility of Music

Here, we will mention the arguments and claims of those who argue for the permissibility of music. We will prove how their evidence is unsuitable to be used as evidence.

Section 3.1: From the Sunnah

Sub-Section 1: Narrations taken as Evidence

The hadeeth which we have mentioned before is used by the justifiers of music to try and argue for its permissibility. The hadeeth in question being,

“Narrated Aisha that Abu Bakr came to my house while two small Ansari girls were singing beside me the stories of the Ansar concerning the Day of Buath. And they were not singers. Abu Bakr said protestingly, "Musical instruments of Satan in the house of Allaah's Messenger (ﷺ)!" It happened on the Eid day and Allaah's Messenger (ﷺ) said, "O Abu Bakr! There is an eid for every nation and this is our Eid"

We do not know how they think this justifies its use as we have mentioned that this hadeeth is understood as an exception to the prohibition, not something permissible which justifies musical instruments or singing. Aisha (may Allaah be pleased with her) herself said they were not singers so how does it make sense to think this justifies singing?!

Ibn Hajar al-‘Asqalaani said, “A group of the Sufis used this hadeeth – the hadeeth about the two young girls – as evidence that singing is allowed and it is allowed to listen to it, whether it is accompanied by instruments or not. This view is sufficiently refuted by the clear statement of ‘Aishah in the following hadith, where she says, ‘They were not singers.’ She made it clear that they were not singers as such, although this may be understood from the wording of the report.

So we should limit it to what was narrated in the text as regards the occasion and the manner, so as to reduce the risk of going against the principle, i.e., the hadeeth. And Allaah knows best.”¹⁴⁹

Ibn al-Qayyim wrote, “I am amazed that you quote as evidence for allowing listening to sophisticated songs the report which we mentioned about how two young girls who were below the age of puberty sang to a young woman on the day of ‘Eid some verses of Arab poetry about bravery in war and other noble characteristics. How can you compare this to that? What is strange is that this hadith is one of the strongest proofs against them. The greatest speaker of the truth [Abu Bakr al-Siddeeq] called them musical instruments of the Shaytaan, and the Messenger of Allaah approved of that appellation, but he made an exception in the case of these two young girls who had not yet reached the age of responsibility and the words of whose songs could not corrupt anyone who listened to them. Can this be used as evidence to allow what you do and what you know of listening (to music) which includes (bad) things which are not hidden?! Subhan Allaah! How people can be led astray!”¹⁵⁰

Ibn Rajab said after citing the narration, “Permission for amusement during a wedding indicates prohibition of it outside of a wedding.”¹⁵¹

There are many other such misunderstood notions which they take from the ahadeeth we have previously mentioned hence we will not delve into them. It is sufficient to know that the prohibition is clear and the ahadeeth on those things which are exceptions cannot be taken as general permission for these instruments.

¹⁴⁹ Fath al-Bari (2/442-443)

¹⁵⁰ Madarij as-Salikeen (1/493)

¹⁵¹ Nuzhat al-Asmaa’ (pg. 39)

Sub-Section 2: Arguments against Narrations

Hadeeth of Al-Bukhaari:

In Section 2.2, we mentioned the hadeeth mentioned by Imam al-Bukhaari (no. 5590) which is very clear in the prohibition of musical instruments. It was weakened by the Andalusian scholar Abu Muhammad Ali ibn Hazm. Before we mention his words, let us first see the chain of narration:

وَقَالَ هِشَامُ بْنُ عَمَّارٍ حَدَّثَنَا صَدَقَةُ بْنُ خَالِدٍ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ يَزِيدَ بْنِ جَابِرٍ، حَدَّثَنَا عَطِيَّةُ بْنُ قَيْسٍ الْكِلَابِيُّ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ غَنْمٍ الْأَشْعَرِيُّ، قَالَ حَدَّثَنِي أَبُو عَامِرٍ - أَوْ أَبُو مَالِكٍ - الْأَشْعَرِيُّ

And Hisham ibn Ammar said, Sadaqah ibn Khalid narrated to us that Abdur Rahman ibn Yazeed ibn Jabir narrated to us that ‘Atiyyah ibn Qays al-Kilabi narrated to us that Abdur Rahman ibn Ghanm al-Ash’ari narrated that he said Abu Amir or Abu Maalik al-Ash’ari narrated to me [...]

Ibn Hazm said, “And this is disconnected, it is not connected between al-Bukhaari and Sadaqah ibn Khalid and there is nothing authentic in this chapter (i.e on the prohibition of music) at all and everything in it is fabricated.”¹⁵²

Ibn Hazm has made two very strange claims: first that the hadeeth is broken between al-Bukhaari and Sadaqah, arguing that al-Bukhaari did not hear and narrate from Hisham this hadeeth; second that everything in this chapter is fabricated.

1- Response to the First Claim

It is wrong of Ibn Hazm to say that the chain is disconnected between Al-Bukhaari and Sadaqah since Hisham ibn Ammar is from the teachers of Imam al-Bukhaari.

¹⁵² Al-Muhalla (9/59)

Ath-Thahabi said, “Hisham ibn Ammar [...] (Those) who narrated from him from the companions of the books (i.e the authors of the known Hadeeth books): Al-Bukhaari ...”¹⁵³

Al-Haafidh al-Mizzi said in Tahtheeb al-Kamaal, “Narrated from him (i.e Hisham): Al-Bukhaari ...”¹⁵⁴

Ibn Hazm’s claim was refuted by the scholars of hadeeth. First from the great scholar, al-Haafidh ibn as-Salaah who said, “Abu Muhammad Ibn Hazm al-Dhahiri did not succeed in his assertion that such disconnection is a valid criticism of the authenticity and he used it to support his argument, considering it acceptable to support his corrupt view in the permissibility of musical instruments and his claim that there is no hadeeth in its prohibition. He responded to the hadeeth narrated by Abu 'Amir or Abu Maalik al-Ash'ari from the Messenger of Allaah [the hadeeth], that even though Al-Bukhaari included it (in his Saheeh), it is not authentic because Al-Bukhaari stated: ‘Hisham ibn 'Ammar said...’ [...] so it is disconnected between Al-Bukhaari and Hisham. This is a mistake in various ways, and Allah knows best.

First, there is no discontinuity in this chain at all due to the fact that al-Bukhaari met Hisham and heard from him. We have previously established in the book ‘Ma’rifat Uloom al-Hadeeth’ that if the meeting and hearing are confirmed, and there is no suspicion of fabrication, then whatever he narrates from him is attributed to hearing, regardless of the specific wording, just as the statement of the companion ‘The Messenger of Allaah said’ is attributed to hearing from him when there is no apparent contradiction, even if the wording differs.

Second, this hadeeth, in its entirety, is known for its connection with its explicit words, other than the route of al-Bukhaari.” End quote. ¹⁵⁵

¹⁵³ Siyar A’lam an-Nubala’ (11/422)

¹⁵⁴ Tahtheeb al-Kamaal Fi Asma’ al-Rijal (30/244)

¹⁵⁵ Siyanah Saheeh Muslim (pg. 82-83)

Al-Haafidh Ibn Hajar also wrote refuting this view of Ibn Hazm. In Taghleeq at-Ta'leeq, he said “This is an authentic hadeeth. It has no deficiency or defect, and there is no point of weakness for any attack to be made on it. Abu Muhammed Ibn Hazm labeled it defective by virtue of his claim that there is a break in the chain between Al Bukhaari and Sadaqah ibn Khaalid [...] As you’ve seen, I have quoted nine connected chains of transmission whose narrators are thoroughly dependable.”¹⁵⁶

Therefore this hadeeth is saheeh, there is no break between these two and even if there were a break, there are many other chains for this hadeeth which establish its attribution to the Prophet (peace and blessings upon him).

2. Response to the Second Claim

The claim of Ibn Hazm that there is no authentic hadeeth in this topic is entirely incorrect as we have narrated many ahadeeth that are Saheeh and clear in prohibiting musical instruments. Ibn Hazm was undoubtedly a well-known and knowledgeable scholar but then there are the views of Ibn Hazm which are completely strange, both in hadeeth and other than it.

For example, in the biography of Shareek ibn Abdullah who is a narrator both Imam Al-Bukhaari and Imam Muslim take as evidence, he was accused of having delusions and fabricating hadeeth by Ibn Hazm. Another example is in his book ‘Al-Itisaal’ where he says Muhammad ibn Eesa at-Tirmidhi, the great Imam, the author of the Jami’, is an unknown person!

That is why the scholars of hadeeth criticized Ibn Hazm.

Al-Haafidh Ibn Katheer said, “His lack of knowledge does not diminish his status in the eyes of scholars; rather, it diminishes the status of Ibn Hazm among the Huffaadh.”¹⁵⁷

¹⁵⁶ Taghleeq at-Ta'leeq (5/22). You can read the nine chains he narrated (5/17-21)

¹⁵⁷ Al-Bidayah wa'n Nihayah (11/67)

Ibn al-Qayyim said, “The man (i.e Ibn Hazm) authenticates weak narrations on which the people of hadeeth are agreed upon (i.e in the narrations’ weakness).”¹⁵⁸

Ibn Abdul Haadi said in Mukhtasar Tabaqat ‘Ulama al-Hadeeth, “He is very confused in the talk on authenticating and weakening hadeeth, and on the conditions of narrators.”

Therefore how can one take the opinion of Ibn Hazm in weakening a hadeeth in Saheeh al-Bukhaari, a book which is accepted unanimously, a book about which Abu Amr ibn as-Salaah said, “Their two books (i.e Bukhaari and Muslim) are the soundest of books after the holy book of Allaah” and An-Nawawi said, “That is according to ijma.” See Muqadimmah Ibn as-Salaah (p. 10) and An-Nukaat ‘Ala Muqadimmah ibn as-Salaah (pg. 163).

Hadeeth of Abu Dawood

Like the previous hadeeth, the hadeeth narrated by Abu Dawood in his Sunan (4924) is also claimed to be weak.

The first argument is the opinion of the author of the book himself. Abu Dawood said after narrating this hadeeth, “This is a rejected hadeeth.” The only problem is we do not know on what basis Abu Dawood weakened this hadeeth. Let us inspect the chain:

حَدَّثَنَا أَحْمَدُ بْنُ عُبَيْدِ اللَّهِ الْغُدَانِيُّ، حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، حَدَّثَنَا سَعِيدُ بْنُ عَبْدِ الْعَزِيزِ، عَنْ سُلَيْمَانَ بْنِ مُوسَى، عَنْ نَافِعٍ

Ahmad ibn Ubaydullah al-Ghudani narrated to us (i.e to Abu Dawood) that al-Waleed ibn Muslim narrated to us that Sa’eed ibn Abdul Azeez narrated to us from Sulayman ibn Musa from Nafi’ [...]

¹⁵⁸ Al-Faroosiyah (pg. 246)

Ahmad ibn Ubaydullah Abu Abdullah al-Ghudani al-Basri: Abu Hatim al-Razi said, “Truthful”, Ibn Hajar al-‘Asqalaani said, “Truthful”.

Al-Waleed ibn Muslim Abu’l Abbas ad-Dimashqi: Abu Hatim said, “Righteous in Hadeeth”, Abu Mas-har said, “From our trustworthy companions”, Yaqoub ibn Shaybah said, “Trustworthy”, Ibn Hajar al-‘Asqalaani said, “Trustworthy but he is much in tadlees”, Ath-Thahabi said, “Scholar of the people of ash-Shaam ¹⁵⁹, he was a mudallis (one who does tadlees).”

He is also from the narrators of both al-Bukhaari and Muslim. So the narrator is trustworthy but is someone who is known for tadlees. Tadlees is a term in the science of hadeeth which means concealment, the narrator conceals the defects of the chain of transmission. Some examples are that he could omit a weak narrator so that the chain looks trustworthy at first glance, or take an unfamiliar name of his Shaykh, or he could use wording which gives the impression of him meeting someone when in fact he has not.

So the question arises, what do we do with people who do tadlees (called mudallis)? We look the wording he uses. For example when the narrator says “From” (عن), then it is not accepted from him because this wording is ambiguous however if the narrator says “narrated to us” (حدثنا) or “reported to us” (أخبرنا) or similar then this is accepted and there is no blame on him as he uses clear, unambiguous terms.

In the case of this chain of narration, the narrator al-Waleed is clear and does not use any ambiguous term so no accusation of tadlees can be levelled on him.

Sa’eed ibn Abdul Azeez: Abu Hatim said, “Trustworthy” and he also said, “I do not consider anyone to be superior in ash-Shaam after Al-Awzaa’i to Sa’eed ibn Abdul Azeez.” An-Nasaa’i said, “Trustworthy, Established”, Ibn Hajar said, “Trustworthy Imam”, Yahya ibn Maeen said, “Trustworthy”, Ahmad ibn Hanbal

¹⁵⁹ Ash-Shaam is the Levant

said, "There is no one in ash-Shaam more authentic in hadeeth than him, he and al-Awzaa'i are equal in my view." Al-Haakim an-Naysaboori said, "He is for ash-Shaam like Maalik (ibn Anas) is for the people of Madeenah."

Sulaymaan ibn Moosa al-Amwi: His student Sa'eed ibn Abdul Azeez said, "He was the most knowledgeable in Syria after Makhool." He was a jurist but his hadeeth was criticized. Al-Bukhaari said, "He has odd reports", An-Nasaai said, "He is not strong in Hadeeth", and "His hadeeth has something in it". Whereas ad-Daraqutni mentioned him among the trustworthy ones, Ibn 'Adi said, "In my view, he is truthful and established", Ibn Saad said, "He is trustworthy, Ibn Jurayj praised him".

Naafi, Mawla (client) of Ibn Umar: A famous imam who is trustworthy and established. He is a narrator found in nearly every book of hadeeth, so there is no need mentioning many scholars when we can quote to you the leader of the believers in Hadeeth, Muhammad ibn Isma'eel al-Bukhaari who said, "The most authentic of chains is Maalik from Naafi from Ibn Umar."¹⁶⁰

So we find that the chain consists of trustworthy narrators who are dependable.

The second weakening of this hadeeth came from Ibn Taahir, his argument was against Sulayman ibn Moosa. He argued since some of the previous scholars said he had odd reports, this is one of them as he is alone in narrating it, however, that is not true, and others followed him in narrating this.

Al-Adheemabadi said in 'Awn al-Ma'bood, "As-Suyooti said, Al-Haafidh Shams ad-Deen ibn Abdul Haadi stated: "This hadeeth has been weakened by Muhammad ibn Tahir, and it is argued upon Sulayman ibn Moosa, that he is alone in narrating this hadeeth. However, it is not like that, for Sulayman is good in

¹⁶⁰ Note: This is Imam al-Bukhaari's opinion, some scholars have other opinions on what the most authentic chain is. The reason we have quoted this is to show that Imam al-Bukhaari considered Naafi' to be extremely trustworthy and established.

hadeeth and he has been declared trustworthy by multiple scholars. Maymoon ibn Mihran also followed him through Nafi', his narration can be found in Musnad Abi Ya'la, and Mat'am ibn al-Miqdam al-San'ani from Nafi', his narration is from At-Tabarani. These two follow Sulayman ibn Moosa (in narrating this story)."¹⁶¹

Therefore this hadeeth is Saheeh, no attack can be made against it.

¹⁶¹ 'Awn al-Ma'bood (13/182)

Section 3.2: From the Salaf

The justifiers of musical instruments and singing present some narrations from the companions regarding them listening to musical instruments and singing, but if one looks and investigates these claims in depth, they are all weak and not a single one has any valid basis to stand upon.

Claims on Abdullah ibn Umar, Abdullah ibn Ja'far and Mu'awiyah ibn Abi Sufyan

We will address the claims of these three companions at once since the narrations are connected to each other. May Allaah be pleased with them.

1. Ibn Umar encourages Abdullah ibn Ja'far to buy a slave girl who sings the lute

Ibn Hazm (born in 384 AH) narrated from Hammad ibn Zayd (Born in 98 AH) from Ayyub as-Sakhtiyani, Hisham ibn Hassan and Salamah ibn Kuhayl, all from Muhammad ibn Seereen that Abdullah ibn Ja'far bought a slave girl who played the lute or tambourine, the man was cheated out of seven hundred silver coins so Ibn Umar goes and helps this man in his trade. Ibn Hazm then says, "And this is Ibn Umar, he heard singing and sought out in the sale of singers, and these chains of narrations are authentic."¹⁶²

The issue here is the 286 year gap between the narrator and who he is narrating from, there is no chain of narration of Ibn Hazm till Hammad. If there even exists a chain of men to ibn Hazm, they are all unknown and we don't know any one of them. This is the same man who rejects the hadeeth of Imam al-Bukhaari because the imam used a different word to narrate the hadeeth but calls a narration missing narrators as "saheeh", there is no power or strength except with Allaah.

¹⁶² Al-Muhalla (9/62)

2. Ibn Umar enters upon Abdullah ibn Ja'far and listens to a slave girl sing.

Ibn Asakir narrated it in Tareekh ad-Dimashq ¹⁶³ from two routes, the first from Abu'l Hasan Ahmad ibn Husayn from Abu Nasr from Khalaf ibn Muhammad ibn Isma'eel. The second chain is Moosa ibn Isma'eel from Hammad ibn Salamah from Ali ibn Zayd from Yoosuf ibn Mihran

Ibn Hajar said in Lisan al-Meezan ¹⁶⁴ about Ahmad ibn al-Husayn, "Confused in things". About Khalaf ibn Muhammad ibn Isma'eel, Abu Ya'la al-Khaleeli said, "Confused, he is very weak, He narrates unknown texts." Ath-Thahabi said, "Famous, His hadeeth fell into fault."

Imam Ahmad said about Ali ibn Zayd, "Ali ibn Zayd ibn Jad'an, he is not strong" and also said, "Weak in hadeeth". Yahya ibn Ma'een said, "He is not (considered) evidence" and also said, "Weak in hadeeth". Abu Hatim al-Razi said, "He is not strong, his hadeeth may be written down but it may not be quoted as evidence." Abu Zur'ah al-Razi said, "He is not strong". An-Nasaa'i said, "Weak".

As for Yoosuf ibn Mihran, Imam Ahmad said, "He is not known and I do not know anyone who narrates from him except Ibn Jad'an." Ibn Hajar said, "They both (Ibn Mihran and Ibn Jad'an) are weak." Therefore this narration is not authentic.

3. Ibn Umar enters upon Ibn Ja'far while a girl with a lute in her lap sings. Ibn Ja'far asks Ibn Umar if he sees anything wrong (with it), Ibn Umar replies in the negative.

Ibn Abd Rabbih said in al-Aqd al-Fareed ¹⁶⁵ "Abu Shu'ayb al-Harrani from Ja'far ibn Saleh ibn Kaysaan from his father".

¹⁶³ Tareekh Dimashiq (31/177-178)

¹⁶⁴ Lisan al-Meezan (1/157)

¹⁶⁵ Al-Aqd al-Fareed (2/12)

There is no biography on Ja'far ibn Saleh ibn Kaysaan. Saleh ibn Kaysaan is a trustworthy jurist but absolutely no one mentions this son Ja'far in the biography of Saleh. Therefore this narration is weak as Ja'far ibn Saleh is unknown.

Additionally, these narrations are contradictory to what is authentically narrated from Ibn Umar on the prohibition of musical instruments and singing.

4. Mu'awiyah ibn Abi Sufyan enters upon Abdullah ibn Ja'far while a girl sings with instruments and listens to her

This is mentioned by Abdul Ghani al-Nablusi in his book Eedaah ad-Dalalat ¹⁶⁶ without a chain of narration therefore this is a false narration which has no origin.

A similar narration was recorded in al-Aqd al-Fareed by Ibn Abd ar-Rabbih, "It was narrated from Sa'eed ibn Muhammad in Oman who said Nasr ibn Ali narrated to me from al-Asmaa'i [...].

The first defect is Sa'eed ibn Muhammad who is not known, there is no biography of him. The second defect is that Mu'awiyah died in 60 AH, Abdullah ibn Ja'far in 80 AH whereas al-Asmaa'i died 215-217 AH. There is a disconnected chain and there is no information who reported this to al-Asmaa'i. So this narration is false and weak.

Claims on Hassan ibn Thabit

1. Hassan ibn Thabit listens to a singer while attending an invitation

Abu'l Faraj al-Asbahani said in Al-Aghani ¹⁶⁷ "Waki' reported to us from Hammad ibn Ishaq from his father from al-Waqidi from Abdur Rahman ibn Abi'z Zinaad from his father who said he heard Kharijah ibn Zayd [...]"

Firstly, it must be known that this book was criticized for its contents.

¹⁶⁶ Eedah al-Dalalat (pg. 84)

¹⁶⁷ Al-Aghani (17/666)

Ibn al-Jawzi said, “He was a Shia (not like the shia of today) his example is [that] his narration cannot be trusted. He openly states in his books what leads to immorality, belittles the consumption of intoxicants, and perhaps he even speaks of that regarding himself. Whoever contemplates the book ‘Al-Aghani’ will see all kinds of ugliness and reprehensible actions.”¹⁶⁸

Regarding the defects in the chain:

Hammad ibn Ishaq, he is Hammad ibn Ishaq ibn Ibraheem at-Tameemi, no one authenticated him.

He narrates from his father Ishaq ibn Ibraheem ibn Maymoon al-Mosuli. Some narrations are also attached to Ishaq but they are all extremely weak and will be addressed later.

Ishaq ibn Ibraheem narrates from al-Waqidi, he is Muhammad ibn Umar al-Waqidi, Imam Ahmad said, “Liar, I do not doubt regarding al-Waqidi that he alters them up (i.e the ahadeeth)”. Nasaai said, “Rejected”, and once, “Not trustworthy” and once he mentioned the known liars who lie upon the Messenger of Allaah peace and blessings upon him and mentioned al-Waqidi among them. Al-Bukhaari said “He is abandoned” and he also said, “They are silent on him” and this is one of the harshest types of criticism that Imam al-Bukhaari can give to someone. Ash-Shafi’i said, “The books of al-Waqidi, all of them are lies.” Muhammad ibn Bashir said, “I have not seen a greater deceiver than he”, Muslim ibn al-Hajjaj said, “Rejected”, Abu Dawood said, “Do not write his hadeeth and do not narrate from him, I do not doubt that he makes up the hadeeth.” Abu Zur’ah al-Razi said, “Rejected” and once, “Weak”. Ali ibn al-Madini called Ibraheem ibn Abi Yahya a liar, then said he has a better condition than al-Waqidi. Ibn Hajar and al-Khateeb said, “Rejected”, Yahya ibn Ma’een said, “Weak” and once, “He is

¹⁶⁸ Al-Muntazam fi Tarikh al-Muluk wal-Umam (14/185)

nothing.” Al-Waqidi is a scholar of al-Maghazi and History, he is not reliable nor suitable to quote as evidence when it comes to the matters in the Sharee’ah.

Al-Waqidi narrates from Abdur Rahman ibn Abi’z Zinaad and the majority weakened him as well. Imam Ahmad said “His hadeeth is faulty”, Ibn Ma’een said, “He is not one of those whom the scholars of hadeeth quote as evidence” and once, “Weak”. Ali ibn al-Madini said, “Whatever he narrated in Madeenah is saheeh, but whatever he narrated in Baghdad was corrupted by the Baghdadis. I saw Abdur Rahman (ibn Mahdi) draw a line through the hadeeth of Abdur Rahman ibn Abi’z Zinaad”. Abu Hatim said, “His hadeeth may be written down but it may not be quoted as evidence”, what this means is he does not protect his hadeeth, weak in his memory and his hadeeth has faults. An-Nasaai said, “His hadeeth cannot be quoted as evidence” and once, “Weak”. Abu Zur’ah al-Razi also weakened him. Imam At-Tirmidhi said regarding him, “Trustworthy Memorizer (Thiqa Haafidh)” however criticism (jarh) takes precedence over praise (tadeel) therefore Imam At-Tirmidhi’s saying cannot be accepted in this regard.

2. Hassan ibn Thabit and some companions from the Muhajireen and Ansaar listen to a singing girl

Abu’l Faraj al-Asbahani narrates in al-Aghani ¹⁶⁹ “Al-Harmi reported to me from Az-Zubayr from Muhammad ibn al-Hasan al-Makhzoomi from Muhriz ibn Ja’far [...]

The following are sayings of the scholars on Muhammad ibn al-Hasan al-Makhzoomi: Yahya ibn Ma’een said, “He used to fabricate content and was a liar.” Abu Zur’ah al-Razi said, “Unreliable in Hadeeth”, An-Nasaa’i, ad-Daraqutni, Ath-Thahabi said, “Rejected”, Muslim ibn al-Hajjaj said, “Not trustworthy”, Abu Dawood called him a liar, ibn Hajar said, “Very weak”, Bukhaari said, “Near him

¹⁶⁹ Al-Aghani (17/168)

are rejected narrations”, Yahya ibn Ma'een said, “By Allaah, he is not from the trustworthy (narrators).”

Thus, it is not proven from Hassan that he permitted musical instruments and singing or listened to them.

Claims on Abdullah ibn az-Zubayr

Imam al-Haramayn mentioned in his book al-Nihaya that the trustworthy biographers reported that 'Abdullah ibn az-Zubayr owned slave girls who played the flute. Once, ibn Umar entered upon him and he had a flute by his side. Ibn Umar said, “O companion of the messenger of Allaah! What is this?” .Abdullah ibn az-Zubayr gave it to him and ibn Umar looked at it closely and said, “Is this a Syrian flute?” Ibn az-Zubayr replied, “It is used to balance the minds.”

Imam al-Haramayn says that ‘trustworthy biographers’ reported this story, but there is no mention of who these people are, it is not found in any book of biography. So this story is a lie attributed to a great companion.

Claims on Amr ibn al-Aas

There is no narration on this topic either (to my knowledge). Some people attributed it to Amr, however this is not valid.

If we look at what his son narrated, Abdullah ibn Amr ibn al-Aas, said, “In the Taurah, Allaah has revealed the truth to eliminate falsehood, to stop lack of seriousness, and to forbid the use of the pipe instruments, flutes, tambourines, and lyres.”¹⁷⁰

¹⁷⁰ Al-Bayhaqi in As-Sunan al-Kubra (10/222), Shuab al-Eeman (7/119). Noor ad-Deen al-Haythami authenticated it in Majma' az-Zawaa'id (7/19)

Claims on Sa'eed ibn al-Musayyib

Ibn Saad in at-Tabaqat al-Kubra ¹⁷¹ said, “Musa ibn Isma'eel informed us that 'Imraan ibn Muhammad ibn Sa'eed ibn al-Musayyib said Ghunaymah, the slave girl of Sa'eed, said [...]” She narrated that Sa'eed permitted his daughter to play the tambourine.

'Imraan ibn Muhammad ibn Sa'eed ibn al-Musayyib is not as strong a narrator and both Ath-Thahabi and Ibn Hajar have termed him as such. This description (ليس بذاك) is used to describe weak narrators. Ibn Hajar in At-Taqreeb said he is acceptable but this is only when someone else is narrating what he is, otherwise his narration will be treated as weak if he is the only one narrating. In this case, this is true as he is the only one narrating this.

Other than that, Ghunaymah's condition is not known (i.e she is unknown).

This also goes against what has been authentically narrated from Sa'eed, he hated singing so how could he have permitted musical instruments?

Claim on Ash-Sha'bi

It is said that ash-Sha'bi permitted singing however this is not true and as we have quoted before, he did not approve of it.

Claims on Ishaq ibn Ibraheem ibn Maymoon

As we mentioned him before, some false narrations are also attached to him.

1. Ishaq talks about how he took singing from 'Atikah bint Shahdah

¹⁷¹ At-Tabaqat al-Kubra (5/134)

Al-Khateeb al-Baghdadi narrated this in his Tareekh ¹⁷² from the path of Muhammad ibn Moosa al-Katib, he said Moosa ibn Yahya ibn Ali al-Munajjim reported to me from his father from his grandfather from Ishaq al-Mosuli [...]

Muhammad ibn Moosa is Muhammad ibn ‘Imraan ibn Moosa Abu Ubaydullah. He is a Mutazili innovator. Imam ath-Thahabi said, “Scholar of the Mu’tazilah”, al-Khateeb al-Baghdadi said, “Abu’l Qasim al-Azhari narrated to me that Abu Ubaydullah used to place his inkwell before him and a bottle of nabeeth ¹⁷³, and he would continue to write and drink.” And Al-Khateeb also said, “And Al-Azhari said to me: “Abu Ubaydullah was a Mu’tazili, and he authored a book in which he collected the reports of the Mu’tazilah. I did not hear anything from him, but I obtained a general permission from him for all of his narrations however he was not considered trustworthy.”¹⁷⁴

In the chain is also Yahya ibn Ali, he is also a Mutazili innovator and in fact, one of their leaders. Ath-Thahabi said, “Yahya ibn Ali ibn Yahya al-Munajjim [...] He was a Mutazili innovator, a leader in that.”¹⁷⁵

Yahya narrates from his father, Ali ibn Yahya. His condition is unknown, there is no one who authenticated him.

Similarly, his grandfather who is Yoosuf ibn Yahya, there is also no one who authenticated him. He is also unknown.

So this narration is very weak, this cannot be used in any way.

2. Ishaq doesn’t mind being associated to singing and musical instrument

¹⁷² Tareekh Baghdad (5/340)

¹⁷³ A drink made by leaving dates in water. It is Sunnah to drink it however if the dates are left in the water for longer than three days, it becomes an intoxicant. In this context, it means the intoxicant.

¹⁷⁴ Tareekh Baghdad (3/136)

¹⁷⁵ Siyar A’lam an-Nubala’ (13/405)

Al-Khateeb narrates with his chain ¹⁷⁶ from Muhammad ibn ‘Imraan ibn Moosa al-Katib that Muhammad ibn Yahya reported to me, Awn ibn Muhammad al-Kindi narrated to me that Muhammad ibn Atiyyah al-Atwi al-Sha’ir (the poet) narrated to him that [...]

Again, we see Muhammad ibn ‘Imraan here, we have already mentioned him previously.

Awn ibn Muhammad is unknown and no one authenticated him. Ibn Hajar said, “No one narrated from him except As-Souli.” ¹⁷⁷ Al-Khateeb similarly also mentioned that and said, “I do not know who narrated from him (Awn) other than him (As-Souli).”¹⁷⁸

In the narration is Muhammad ibn Atiyah, he too was from the people of innovation and was a Mu’tazili as al-Khateeb mentioned ¹⁷⁹ and Ibn Hajar in Lisan al-Meezan ¹⁸⁰.

Therefore there’s no authentic narration from Ishaq either.

Claim on Abdul Azeez al-Majishoon

There's a claim on Abdul Azeez al-Majishoon that he permitted a musical instrument however there is no chain of narration for it from the reporter (Abu Ya’la al-Khaleeli) to Abdul Azeez al-Majishoon and there's a 282 year gap between their deaths.

¹⁷⁶ Tareekh Baghdad (6/342)

¹⁷⁷ Lisan al-Meezan (4/388)

¹⁷⁸ Tareekh Baghdad (12/294)

¹⁷⁹ Tareekh Baghdad (3/137)

¹⁸⁰ Lisan al-Meezan (5/285)

Claim on Ibraheem ibn Saad az-Zuhri

The routes to this narration are narrated by al-Khateeb al-Baghdadi in Tareekh Baghdad ¹⁸¹ and Ibn Asakir in Tareekh Dimashq ¹⁸², they both narrate from the path of Ubaydullah ibn Sa'eed ibn Katheer ibn Ufayr who then narrates from his father Sa'eed ibn Katheer ibn Ufayr and he narrates a long story about Ibraheem ibn Saad permitting musical instruments and narrating a story from his father that Maalik ibn Anas supposedly played the drum in a gathering.

Regarding Ubaydullah ibn Sa'eed, Ibn Hibban said, "He narrates from his father from trustworthy narrators altered (ahadeeth) ... It is not permissible to take his narration as evidence when he is the only one (narrating it)"¹⁸³, Ibn Adi said that perhaps the trouble is with Ubaydullah ¹⁸⁴, and Ibn al-Jawzi mentioned him amongst the weak and rejected narrators and said, "Ibn Hibban said his hadeeth is not comparable to the hadeeth of the trustworthy."¹⁸⁵

Therefore this narration cannot be accepted, no one authenticates him and he is criticized by more than one of the scholars. The claim on Imam Maalik is also incorrect since we know what he thinks about musical instruments and singing.

Claim on Minhaal ibn Amr

It is narrated from al-Khateeb in al-Kifayah ¹⁸⁶ and Ibn Asakir in Tareekh Dimashq ¹⁸⁷ that Shu'bah heard the tanbur in the house of Minhaal.

Firstly, if we look at the content of the narration, there's no indication of who is the one playing it, we have no information if Minhaal is in the house or not, we

¹⁸¹ Tareekh Baghdad (7/84)

¹⁸² Tareekh Dimashq (7/10)

¹⁸³ Al-Majrooheen (2/67)

¹⁸⁴ Al-Kamil fi'd Du'afa (3/411)

¹⁸⁵ Al-Du'afa wa'l Matrokeen (2/163)

¹⁸⁶ Al-Kifayah (pg. 183)

¹⁸⁷ Tareekh Dimashq (60/373)

have no information if Minhaal is even aware of this or not. In fact, Wahb, one of the narrators said to Shu'bah, "Why didn't you ask him?" Shu'bah replied, "Perhaps he didn't know." In fact, Shu'bah stopped narrating from Minhaal because of this. Ath-Thahabi said, "Later, Shu'bah stopped narrating from him because it is said he heard the sound of singing from his house (i.e Minhaal's house)." ¹⁸⁸

This is a proof against the justifiers, not for them. Both of these imams Shu'bah ibn al-Hajjaj and Wahb agree that it was something prohibited.

As far as the incident is concerned, then Ibn Hajar said in Tahtheeb al-Tahtheeb, "That (i.e permitting the instrument) is not proven from him." ¹⁸⁹ Ibn al-Qayyim said, "And it is possible that this was not done in his presence, with his consent, or knowledge." ¹⁹⁰

Thus, this narration does not prove anything regarding Minhaal, rather it is against the justifiers as two big imams Shu'bah and Wahb showed their disapproval of this sound coming from the house of Minhaal.

¹⁸⁸ Meezan al-'Itidaal (4/192)

¹⁸⁹ Tahtheeb al-Tahtheeb (10/283)

¹⁹⁰ Hashiyah Ibn al-Qayyim 'Ala Sunan Abi Dawood (13/64)

Section 3.3: Claims on the Scholars

The main type of argument presented here is the appeal to authority: so and so scholar permitted musical instruments and singing. We will analyze these claims. Did so and so scholar really permit them or is it yet another false claim like those made on the Salaf.

Claim on Al-Izz ibn Abdus Salam

They claim that the al-Izz ibn Abdus Salaam was one of those who permitted musical instruments and singing however one look at the books of this scholar proves that he did not view them as permissible.

He clearly states that these things are forbidden, he says, “[...] such as hearing musical instruments like strings and flutes, then this person is indulging in what is forbidden, pleasing their soul with the forbidden. And if they also look at a singer, it is even worse, increasing their misery.”¹⁹¹

Claim on Abu Ishaaq ash-Shiraazi

Abu'l Fadl Ibn Tahir al-Qaysaraani stated Abu Ishaaq ash-Shiraazi permitted the oud (a stringed instrument) however this is not what we find in his books. He says, “And if he bequeaths for him a drum from his drums – the bequest is invalid because it is a bequest for something prohibited. And if he bequeaths for him an oud (stringed instrument) the bequest is invalid because it is a bequest for something prohibited.”¹⁹²

Claim on Al-Mawardi

A claim is made by some that Al-Mawardi also permitted musical instruments but as we have seen in the section about the Shafi'i madhab (Chapter 2: Section 2.5,

¹⁹¹ Qawaa'id al-Ahkam (2/215)

¹⁹² Majmoo' Sharh al-Mahthab (15/488)

Sub-Section 3), he did not permit them at all. Another clear saying from al-Mawardi on their prohibition is when he said, “As for the prohibited (things): the oud, drum, musical instruments, tambourine, and the flute...”¹⁹³

Claim on Muhammad ibn Ali ash-Shawkaani

The reason we have put this under “Claim on the scholars” is because those who argue for the permissibility of musical instruments use his book titled, “Ibtaal Da’wah al-Ijma’ ‘Ala Mutlaq as-Samaa” to try and argue that ash-Shawkaani held musical instruments to be permissible. However Ash-Shawkaani does not take the position that musical instruments are permissible in the book. If one reads the book ash-Shawkaani narrates two types of evidences in this book, one for ghina’ without instruments and one he narrates on musical instruments.

We do not contest with the first type of evidences since we have mentioned that there are exceptions to ghina’ such as the Huda’, the Nasb and such. As for the second, then all of these narrations are those which we have already addressed in the previous section.

¹⁹³ Al-Haawi (21/207)

Section 3.4: Claims from the Scholars

In this part, we will talk about some of the scholars who tried to argue that music was permissible. One should be mindful, as we will elaborate upon later, about dismissing the aforementioned evidences based on the opinions of one or two men. The truth lies within the evidence from the Quraan and Sunnah: a man's attribution to Islam alone does not suffice as evidence.

Abu Muhammad ibn Hazm (b. 384 AH)

We have already mentioned what Ibn Hazm held in this matter. He made severe mistakes in defending his view on musical instruments, going as far as claiming all the ahadeeth are fabricated in this matter which we know is not true. The ahadeeth are authentic and well established, it is established from the Salaf as well.

Abu Hamid al-Ghazaali (b. 450 AH)

Another scholar from the past was Muhammad ibn Muhammad al-Ghazaali. He was a knowledgeable man in Fiqh, Sufism, Falsafah (philosophy), 'Ilm al-Kalaam (Theological Rhetoric). Despite his profound knowledge in these sciences, he still made mistakes in various other matters seen in his books such as Ihya and others. While al-Ghazaali did not permit music in its entirety, he did make allowances for some musical instruments. For example, he held that reed instruments are permissible to use which was an odd opinion which other scholars were quick to point out and reject. Al-Athraa'i said, "What al-Ghazaali permitted (i.e reed instrument) and Ibn Yahya who follows him in it is odd. I have not seen anyone before al-Ghazaali have this opinion."¹⁹⁴

¹⁹⁴ Kaf ar-Ra'a' (pg. 104)

Muhammad ibn Taahir al-Qaysaraani (b. 448 AH)

He is Abu'l Fadl Muhammad ibn Taahir al-Qaysaraani. He narrated an alleged consensus of the people of Madeenah that they permitted singing with the Oud (lute) and also wrote a book on allowing singing. Ibn Asaakir said of him, "He was in a lot of delusions", Abu'l Fadl ibn Nasir said, "Muhammad ibn Taahir, cannot be taken as evidence", Ath-Thahabi also said about him, "Muhammad ibn Tahir al-Maqdisi al-Haafidh is not strong for indeed he had much delusions in his books" and Ibn Hajar copies these same words as well.

Refer to Tareekh Dimashq (53/280), Meezan al-'Itidaal (3/587) and Lisan ul Meezan (5/207).

Abu'l Mawahib al-Shathili (b. 820 AH)

His name is Muhammad ibn Zaghdan Abu'l Mawahib al-Shathili. He was a scholar born in Tunis and eventually moved to Egypt. He was a Sufi as the term 'Shathili' entails.

He wrote a book on singing. In type three of singing, he writes, "The Third Type: Singing with stringed instruments and the rest", Abu'l Mawahib mentions the oud (lute) and names the companions, successors and others who permitted it but these names are those whom we have already addressed such as Ibn Umar, Ibn Ja'far, Mu'awiyah and the rest, may Allaah be pleased with them. Therefore, he relies upon weak and fabricated narrations hence this is not valid evidence for the fair-minded researcher.

Abdul Ghani ibn Isma'eel al-Nabulsi (b. 1051 AH)

A scholar from Syria during the late Ottoman era. He wrote the book 'Eedah ad-Dalalat' in which he argues for the permissibility of music. However, like those before him and after him, the reports they ascribe to the companions and successors are weak and fabricated.

More so, Abdul Ghani argued that musical instruments don't become prohibited unless they're accompanied by intoxicants, unlawful sexual intercourse and the wearing of silk but this argument is not strong because the Messenger of Allaah, peace and blessings upon him, used the word (يَسْتَحِلُّونَ) which means, "to permit something which is prohibited", the words are general and are understood as they are. The 'waw' (identical to 'and') separates the different matters which the people will consider permissible, they do not mean that the things mentioned will only be prohibited if they're accompanied by each other.

Muhammad ibn Ali ash-Shawkaani said, "The response to this is that mentioning these things in conjunction does not only mean that what is haram is what is joined together in this manner. Otherwise this would mean that unlawful sexual intercourse, as mentioned in the ahadeeth, is not prohibited unless it is accompanied by intoxicants and the use of musical instruments. By the same token, a verse such as the following (interpretation of the meaning): "Verily, he used not to believe in Allaah, the Most Great, and urged not on the feeding of Al-Miskin (the poor). [al-Haqqah 69:33-34] would imply that it is not prohibited to disbelieve in Allah unless that is accompanied by not encouraging the feeding of the poor. If it is said that the prohibition of such things one at a time is proven from other reports, the response to that is that the prohibition of musical instruments is also known from other evidence, as mentioned above." ¹⁹⁵

Mahmood Shaltoot (b. 1310 AH)

He was a scholar based in Egypt. He became the Grand Imam of Al-Azhar (A seminary based in Egypt) in 1958 until his death.

He had erroneous views which conflicted with the rest of the scholars such as his fatwa for following the madhab of the Shias which is a great insult to the works of

¹⁹⁵ Nayl al-Awthar (8/107)

the scholars of the Sunnah who worked hard in this field. To this day, Al-Azhar follows this fatwa.

He believed music was something permissible. It seems the Shaykh did not research the matter since his opinion is entirely based upon reading the book of Abdul Ghani al-Nabulsi which we have already addressed.

Yoosuf al-Qaradawi (b. 1344 AH)

He was an Egyptian scholar whom the modernists often quote to support their false views which are in favor of modern liberalism such as his view that stoning is not a practice of Islam despite the fact it is proven from many evidences in the Sharee'ah, he also stated that the niqaab had nothing to do with Islam which is also incorrect. From these erroneous and mistaken views is his view that musical instruments and singing is permitted and indeed many of the claims we have answered in the previous sections, Al-Qaradawi brought these up in a fatwa he passed called 'On Music and Singing'.

Shaykh Abdullah Ramadan ibn Moosa wrote an entire book on refuting Al-Qaradawi and his "music fatwa", indeed it is very beneficial and many things that I have mentioned is taken from this great book, its name is "Refutation on al-Qaradawi and al-Judai" (الرد على القرضاوي والجديع).

Abdullah ibn Yoosuf al-Judai

A man from 'Iraq (who is a British citizen) who specialized in "Islamic studies" and "Islamic finance". In his book titled "al-Mawseeqi wa'l Ghina Fi Meezan al-Islam", he tried to argue for the permissibility of musical instruments. Some of his claims were:

1. There is no ijma' on the prohibition of music.

2. There is no unambiguous text in either the Quraan or the Sunnah in the prohibition of music.
3. The four Sunni schools (i.e those which we mentioned in chapter 2, section 2.5) did not agree on the prohibition of music.
4. Some companions and successors listened to music.
5. There is evidence for permissibility of music, not prohibition.

It is clear that every single one of these claims is invalid. We have answered with sufficient evidences that there is ijma', there are clear texts in the Sharee'ah, the four schools agree on its prohibition, there is not a single authentic narration that any companion or anyone from their students that they listened to music, and there is no text in the Sharee'ah supporting the permissibility of musical instruments.

In the previous part about al-Qaradawi, the book we have mentioned in his refutation also refutes al-Judai, so refer to that for more in-depth deconstruction of al-Judai's arguments.

Conclusion

While reading this sub-section, you may have noticed that I included the year in which these people were born. The reason I have done so is to convey a simple point: before these people were born, an ijma' on the prohibition of musical instruments was relayed.

The Messenger of Allaah (peace and blessings upon him) said, "My community does not agree on an error" ¹⁹⁶ The fact that scholars before them agreed on its prohibition and only after them did odd opinions come up. Did the scholars agree upon an error before others arose to differ with them? Either they did which

¹⁹⁶ Tirmidhi (2167), Hasan

means the hadeeth is wrong or they did not which means the scholars who arose to differ must have been mistaken which as we saw is the case.

Another thing to notice that many of these scholars were either Sufis (such as al-Ghazaali, Abu'l Mawahib, Abdul Ghani) or Dhahiris (Ibn Tahir, Ibn Hazm), these two groups were the only ones to oppose the scholars. Abu'l Tayyeb at-Tabari said, "The belief of this group (the Sufis) is against the Ijma' of the Muslims [...] The position of this group is opposed to what the scholars have agreed on."¹⁹⁷

The truth is what we mentioned before, these erroneous and mistaken rulings is what confuses the laymen into following wrong views which permit that which the entire Muslim Ummah has been forbidding ever since the time of the companions. The contemporary scholars such as Al-Qaradawi, Shaltoot, al-Judai and others, they merely adopt the views of the few scholars before them.

¹⁹⁷ Ar-Rad 'Ala Man Yuhib as-Samaa' (pg. 32)

Section 3.5: Claims of Ikhtilaaf

One of the more commonly utilized arguments is the argument that that the matter of musical instruments and singing (like of todays) is a matter where there is a difference of opinion (in Arabic اختلاف), meaning in their eyes if you say its prohibited, that's fine and if you say its permissible, that's fine as well.

The reason they apply this argument is because due to the different opinions held by a minute number of scholars (such as those aforementioned), they say that a difference of opinion must exist.

However when we look into the definitions, we find that mere existence of different opinions does not necessitate an ikhtilaaf. In fact there are two terms. One is called Ikhtilaaf and one is called Khilaaf. Although most scholars use it synonymously, some made a distinction between the two.

This section will be divided into two parts: first, we answer this argument by defining and differentiating between Ikhtilaaf and Khilaaf; second, we discuss the approach that should be taken regarding the mistakes of scholars.

Sub-Section 1: Answering the Argument

The definition for Ikhtilaaf is: each individual takes a path different from the others, either in their state or their statement, based on established evidence for each side.¹⁹⁸

As for Khilaaf, "The principle is that judgment is valid in Ikhtilaaf and not in Khilaaf. The difference between them is that the former has evidence, while the latter does not. (End of Al-Haskafi's statement) Ibn Aabideen said: This is a terminological distinction, Allaah said which means (And they did not differ in it except those who were given 2:213) and (Nor did those who were given the

¹⁹⁸ Hashiyah of Ibn Aabideen (4/297)

Scripture become divided until after there had come to them clear evidence 98:4) and there is no evidence for them, and its meaning is that it is a difference without evidence when considering the opposing view.”¹⁹⁹

We find that in order for something to be called Ikhtilaaf, it must have valid evidence to support it. Otherwise it cannot be called an ikhtilaaf.

One of the Hanafi scholars, Shah Wali Allaah ad-Dehlawi said, “The truth is that difference of opinion can be categorized into four types: The first type is when the truth is definite and clear, it is obligatory to reject its disagreement because it (the different opinion) is undoubtedly false. [...] Further explanation on that is if the issue is one where the ruling of a judge is against the presence of an authentic, well-known hadeeth from the Messenger of Allaah (peace and blessings upon him), then any ijtihaad (striving to understand the shar’i ruling on the basis of shar’i evidence) contradicting it is considered false.”²⁰⁰

The matter of musical instruments as we have seen is clear and definite with clear authentic narrations from the Prophet (peace and blessings upon him) and his companions on the prohibition of musical instruments and singing.

Sub-Section 2: Mistake of a Scholar

A mistake (غلط) of a scholar should not be followed. Instead it should be discarded.

Umar ibn al-Khattab (may Allaah be pleased with him) said, “Three things destroy the religion: the mistake of a scholar, the arguing of a hypocrite with the Quraan, and misguided leaders.”²⁰¹ The reason it destroys the religion – and Allaah knows best – is because the people then follow those scholars and take themselves away from the correct path. Ibn Abd al-Barr al-Maaliki said, “The scholars likened the

¹⁹⁹ Hashiyah of Ibn Aabideen (5/403)

²⁰⁰ Aqd al-Jayyid Fi Ahkam al-Ijtihaad wa'l Taqleed (pg. 7)

²⁰¹ Jami' Bayan al-'Ilm (no. 1867), Ad-Darimi (1/71) with a Saheeh chain.

mistake of a knowledgeable person to the sinking of a ship because when it sinks, it takes many lives with it.”²⁰²

Mu’ath ibn Jabal (may Allaah be pleased with him) said, “I warn you against the deviation of the learned man, for sometimes Shaytaan utters a word of error through the tongue of a learned man; and sometimes a hypocrite may speak a word of truth.”²⁰³

Ibraheem ibn Abi ‘Abalah (may Allaah have mercy on him) said, “Whoever carries the oddity in knowledge has carried great evil.”²⁰⁴

Al-Husayn ibn Fadl said, “For every scholar is a mistake.”²⁰⁵ What it means is that one should not think that any scholar is free from making mistakes and having erroneous views and opinions. This is particularly to people whom I have personally seen bring up al-Ghazaali and say, “You’re saying al-Ghazaali who was dubbed Hujjatul Islam (Proof of Islam) is wrong??” Yes, I am saying he is wrong as did his companions (i.e the Shafi’is) and other scholars of the Ummah.

Ibn al-Qayyim said, “It is not permissible for the Muslim to follow the errors and mistakes of the scholars, for that combines all kinds of evil. Hence the scholars said: whoever follows that concerning which the scholars differed, and takes the easiest of their fatwas, becomes a heretic, or close enough.”²⁰⁶

Ath-Thahabi said, “Whoever follows the concessions of the schools and the errors of the scholars has deviated from their religion, as Al-Awzaa’i and others said: ‘Whoever takes from the people of Makkah in matters of mut’ah (temporary marriage), from the people of Kufa in wine, from the people of Madeenah in

²⁰² Jami’ Bayan al-‘Ilm wa Fadhlilihi (2/ 982)

²⁰³ Abu Dawood (4611), Saheeh.

²⁰⁴ Siyar A’lam an-Nubala’ (6/324)

²⁰⁵ Asbaab an-Nuzool (pg. 18)

²⁰⁶ Igathaat al-Lahfan (1/228)

singing, and from the Syrians in the infallibility of the caliphs, they have gathered evil.”²⁰⁷

This shows that there were people who held wrong opinions, however just because they held it, does not make it permissible to follow them. If someone does follow them, then he has gathered evil, as mentioned.

Imam al-Awzaa'i also said, “Whoever takes the unusual positions of the scholars has exited Islam.”²⁰⁸ What it refers to is the errors or mistakes made by scholars in issuing a ruling (fatwa) or any other matter. Someone might say, “So-and-so, a knowledgeable person, stated that this thing is permissible,” even though it's a mistake on their part and not actually permissible. Moreover, the statement contradicts the teachings of the Prophet (peace and blessings upon him). As a result, some people may abandon the Prophet's hadeeth and instead adopt the scholar's mistaken fatwa. They may do this without realizing that the scholar's fatwa contradicts the authentic sayings of the Prophet (peace and blessings upon him). In such cases, people may exploit these fatwas to justify their actions or beliefs.

Yahya ibn Sa'eed al-Qattan said, “If a man were to act with every leniency, with the people of Madeenah in listening (i.e singing) and people of Kufa in Nabeeth and the people of Makkah regarding Mutah (temporary marriage), he would be a transgressor (faasiq).”²⁰⁹

Ash-Shaatibi said, “The mistake of a scholar should not be relied upon or blindly followed because it is based on deviation from religious principles. That is why it is considered a mistake. Otherwise, if it were considered a valid position, it would

²⁰⁷ Siyar A'lam an-Nubala' (8/90)

²⁰⁸ As-Sunan al-Kubra (10/356), Shuab al-Eeman (3/324)

²⁰⁹ Al-Jami Li-Uloom al-Imam Ahmad – Usool al-Fiqh (5/138)

not be given this status, and the person making the mistake would not be attributed with an error in it.” ²¹⁰

He also said, “As for when opinions are based on weak or inconclusive evidence, they should not be relied upon in matters of disagreement. Just as the pious predecessors did not rely on disagreements in matters such as the issue of Riba al-Fadl (excess usury), Mut’ah (temporary marriage), [...] and similar issues where the evidence was not clear or conclusive.” ²¹¹

Ibn Rajab said, “From the types of sincere advice for Allaah, His Book, and His Messenger - it is a matter that is particularly entrusted to scholars - is the refutation of misguided desires with the Quran and the Sunnah. This involves explaining their guidance regarding whatever contradicts all those desires. It also includes refuting weak opinions resulting from the mistakes of scholars and clarifying how the Quran and Sunnah contradict such opinions.” ²¹²

Therefore it is not permissible for anyone to follow the mistake of these scholars in their opinions regarding the matter of musical instruments.

²¹⁰ Al-Muwaffaqaat (5/136)

²¹¹ Al-Muwaffaqaat (5/138)

²¹² Jami’ al-‘Uloom wa’l Hikam (1/223)

Section 3.6: Appeal to Emotion

This argument is quite common amongst the laymen where they try to argue for music's permissibility not according to Shar'i evidence but rather their own emotions and feelings.

First of all, it should be noted that it is not permissible for anyone to follow something contrary to what has been stated in the Quraan and the Sunnah so an argument based on something other than the Sharee'ah automatically falls flat. Allaah said,

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ۗ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُّبِينًا ۝ ٣٦

It is not for a believing man or a believing woman, when Allāh and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allāh and His Messenger has certainly strayed into clear error. [Al-Ahzab 33:36]

And He said,

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

٦٥

But no, by your Lord, they will not [truly] believe until they make you, [O Muḥammad], judge concerning that over which they dispute among themselves and then find within themselves no discomfort from what you have judged and submit in [full, willing] submission. [An-Nisa 4:65]

Denying either the Quraan or the Sunnah is disbelief which takes one out of Islam. Jalaal ad-Deen as-Suyooti said, "You should understand, may Allaah have mercy on you, that whoever denies that the hadith of the Prophet (peace and blessings

upon him) constitutes shar‘i evidence – whether he denies a report that speaks of something that the Prophet (peace and blessings upon him) said or did, if that hadeeth fulfills the conditions stipulated in usool al-hadeeth (science of hadeeth) – has committed an act of disbelief that puts him beyond the bounds of Islam, and he will be gathered (on the Day of Resurrection) with the Jews and Christians, or with whomever Allah wills of the disbelieving groups.”²¹³

Ibn al-Wazeer said: “Rejecting the hadeeth of the Messenger of Allaah (peace and blessings upon him) when one is aware that it is his hadeeth constitutes blatant disbelief.”²¹⁴

Secondly, arguments on the basis of emotions and feelings actually reveals one of the wisdoms of the prohibition on music. It is a thing which distracts people from the remembrance of Allaah, so much so that singers and musicians become depressed and only find comfort in music. This is exactly what Allaah had warned us from, He has repeatedly ordered us to remember Him with abundance in the day and night. His warning to those who go away from His remembrance is clear as well.

وَمَا أَصَابَكُمْ مِّنْ مُّصِيبَةٍ فَبِمَا كَسَبَتْ أَيْدِيكُمْ وَيَعْفُوا عَنْ كَثِيرٍ ۝۳۰

Whatever affliction befalls you is because of what your own hands have committed. And He pardons much. [Ash-Shura 42:30]

The believers are accounted in this life and not just the afterlife, and despite the fact that Allaah excuses many many sins, the believers still feel pain and tribulation because of the sins they haven't repented from well enough, or haven't repented from at all. How massive can the sins of those that listen to music be, when Allaah excuses plenty of their sins?!"

²¹³ Miftah al-Jannah (p. 14)

²¹⁴ Al-‘Awasim wa’l Qawasim (2/274)

How can you try to argue for music based on your emotions and feelings when what you feel is from turning away from the remembrance of Allaah? This is what is meant by the statement of the companions and successors which we went over in Section 2.3: “singing sprouts in the hypocrisy”. Ibn al-Qayyim wrote extensively in his book *Ighathaat al-Lahfaan*, from it is the following: ²¹⁵

“If it is said: How does music cause hypocrisy to grow in the heart, and not other sins? The answer is: This is one of the clearest indications of the Sahaabah’s understanding of the workings of the heart and their knowledge of diseases of the heart (i.e., spiritual diseases) and their remedies. It highlights the fact that they were indeed doctors of the heart, unlike those who deviate from their path. It should be understood that singing has specific characteristics that affect the heart, instilling hypocrisy in the heart and causing it to grow, just as water causes plants to grow. Among its characteristics:

1. It distracts the heart and prevents it from understanding and reflecting upon the Qur’an and acting upon it. For the Qur’an and singing can never coexist in the heart, because they are diametrically opposed. The Qur’an forbids following whims and desires, and enjoins chastity and restraint, and staying away from the evil inclinations of the nafs and causes of misguidance. It forbids following in the footsteps of the Shaytaan, whilst music enjoins the opposite of all that and makes it fair-seeming; it motivates people to follow desires and evil inclinations, so it provokes hidden desires and motivates one to commit all kinds of evil acts. Addiction to music makes the Qur’an heavy on the heart and makes one reluctant to listen to it. If that is not hypocrisy, then what is hypocrisy? The crux of the matter is that singing is the “book” of the Shaytaan, so it cannot coexist with the Book of the Most Gracious in the same heart.

²¹⁵ (2/248-251)

2. Moreover, another sign of hypocrisy is not remembering Allah much, feeling lazy when getting up to pray, and praying in a hasty and careless manner. It is rare to find anyone who is enchanted by singing who is not like this. [...]
3. Singing corrupts the heart, and if the heart becomes corrupt, hypocrisy will take hold of it.

To sum up: if a man of understanding reflects upon the condition of singers and the condition of people who remember Allah and read the Qur'an, the intelligence of the Sahaabah will become clear to him, and he will realise how much knowledge they had of spiritual diseases and their remedies. And Allah is the source of strength." End quote.

He also wrote,

"With regard to calling it a motive for zina, this is very accurate, for there is no other means that could lead to zina that is more effective than it.

Yazeed ibn al-Waleed said: O Banu Umayyah, beware of singing, for it takes away dignity, increases desire and undermines chivalry. It works like alcohol and does what intoxicants do. If you must do that, then keep your womenfolk away, because singing leads to zina.

Muhammad ibn al-Fadl al-Azdi said: The poet al-Hutay'ah stayed at the house of an Arab man, and his daughter Mulaykah was with him. When night came, he heard singing, so he said to the owner of the house: Keep this away from me. He said: What is wrong with it? He said: Singing is one of the things that encourage immorality, and I do not want this one – meaning my daughter – to hear it. Either you make it stop, or I will leave your house.

If this poet, who was known for lack of restraint in his poetry and whose mockery and insults the Arabs used to fear, was afraid of the consequences and negative impact of singing, and was worried that its influence could reach his daughter,

then what do you think about other people? If the influence of this singing is combined with the hand drum, flute and dancing with enticing movements, then if a woman could become pregnant as a result of singing, it would happen under the influence of this type of singing!" End quote.

Overall Conclusion

As we come to a close, hopefully this small treatise has made you a bit more knowledgeable on the topic and, if you were from those who argued for its permissibility, opened your eyes to the correct ruling on this topic.

We have established with proper evidences that the matter of musical instruments isn't as complex as some modern speakers have made it out to be, rather it is very clear. Very few scholars have tried to argue against this position however their opinions were not backed by any kind of evidence nor were their arguments against the evidences to prohibit music valid. We ask Allaah to reward them and forgive them for their shortcomings.

We have provided proof for the prohibition of music from every source of proof within the Sharee'ah and if people still deny the ruling and make up excuses, then it is only Allaah who can help them for they have taken their desires as their god. Remember and live by these small bits of advice below, may Allaah help us understand it.

1. Do not blindly follow people

Do not blindly follow whatever people say, rather it is incumbent upon you that you learn the religion and deepen your understanding in it. Follow those who are trustworthy scholars of the Sunnah and not those who went against the righteous generations. As you've seen, the scholars have agreed upon the prohibition of musical instruments and singing.

Allaah said,

كِتَابٌ أَنْزَلْنَاهُ إِلَيْكَ مُبَارَكٌ لِيَدَّبَّرُوا آيَاتِهِ وَلِيَتَذَكَّرَ أُولُوا الْأَلْبَابِ ٢٩

[This is] a blessed Book which We have revealed to you, [O Muḥammad], that they might reflect upon its verses and that those of understanding would be reminded. [Sad 38:29]

And He said,

فَاعْلَمْ أَنَّهُ لَا إِلَهَ إِلَّا اللَّهُ وَاسْتَغْفِرْ لِذَنْبِكَ وَلِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ ۚ وَاللَّهُ يَعْلَمُ مُتَقَلَّبَكُمْ وَمَثْوَاكُمْ ١٩

So know, [O Muḥammad], that there is no deity except Allāh and ask forgiveness for your sin and for the believing men and believing women. And Allāh knows of your movement and your resting place.

And He said,

قُلْ هَذِهِ سَبِيلِي أَدْعُو إِلَى اللَّهِ عَلَىٰ بَصِيرَةٍ أَنَا وَمَنِ اتَّبَعَنِي ۖ وَسُبْحَانَ اللَّهِ وَمَا أَنَا مِنَ الْمُشْرِكِينَ ١٠٨

Say, "This is my way; I invite to Allah with insight, I and those who follow me. And exalted is Allah; and I am not of those who associate others with Him." [Yoosuf 12:108]

2. Don't follow your desires.

When you discover that something is prohibited by Allaah, do not try to find excuses, and rather humbly submit to His order. Do not be from those who follow their desires and turn away from the worship of Allaah towards the worship of their desires. Allaah's ruling regarding musical instruments is clear, follow that!

Allaah said,

وَمَنْ أَضَلُّ مِمَّنِ اتَّبَعَ هَوَاهُ بِغَيْرِ هُدًى مِّنَ اللَّهِ ۚ إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ط

And who is more astray than one who follows his desire without guidance from Allāh? Indeed, Allāh does not guide the wrongdoing people. [Al-Qasas 28:50]

Allaah also said,

وَمَنْ أَحْسَنُ قَوْلًا مِّمَّنْ دَعَا إِلَى اللَّهِ وَعَمِلَ صَالِحًا وَقَالَ إِنَّنِي مِنَ الْمُسْلِمِينَ ۝٣٣

And who is better in speech than one who invites to Allāh and does righteousness and says, "Indeed, I am of the Muslims." [Al-Fussilat 41:33]

One cannot invite to Allaah if he invites to his desires and not what Allaah has enjoined upon His servants. The one who strives towards Allaah in bettering Himself and enjoining His commandments, Allaah will guide him to the correct path. He said,

وَالَّذِينَ جَاهَدُوا فِينَا لَنَهْدِيَنَّهُمْ سُبُلَنَا ۚ وَإِنَّ اللَّهَ لَمَعَ الْمُحْسِنِينَ ۝٦٩

As for those who struggle in Our cause, We will surely guide them along Our Way. And Allah is certainly with the good-doers [Al-Ankabut 29:69]

3. Don't engage in 'fatwa shopping'.

Just because a scholar may have an opinion does not mean it is valid. If you see that other knowledgeable scholars and imams disagree with him, then stick with those scholars and imams, such as the founders of the four schools, Al-Awzaa'i or Ishaaq or Sufyan or Hammad and so on.

Just because so and so scholar said music is permissible doesn't mean you take what he says, rather you should follow the trustworthy authorities such as those we mentioned above.

4. Islam was perfected 1400 years ago

Islam has been perfected, we accept what is in it and reject what isn't. What has been prohibited is prohibited, there can be no changing in that so follow that which Allaah and His Messenger (peace and blessings upon him) have said instead of what a man who comes 1400 after says. The Messenger said musical instruments are prohibited, if a man comes and says they aren't, it is obligatory upon you to follow the Messenger, peace and blessings upon him. It is as Allaah has said,

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ۗ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُّبِينًا ۝ ٣٦

It is not for a believing man or a believing woman, when Allāh and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair. And whoever disobeys Allāh and His Messenger has certainly strayed into clear error. [Al-Ahzab 33:36]

5. Follow Islam even if you dislike what it says

As Allaah has said in the Quraan, you may dislike something which is good for you or you may like something but it be harmful to you. Islam is the religion of the All-Knowing God, nothing in it will harm you so follow it, even if you dislike what it says. What we said in this book applies here: even though you may like music, it is actually harmful for you. The more difficult something is to give up, the greater the reward is for giving it up for the sake of Allaah.

Allaah said,

لَنْ تَأْلَوْا الْبَرَّ حَتَّىٰ تُنْفِقُوا مِمَّا تُحِبُّونَ ۚ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ ۝ ٩٢

You will never achieve righteousness until you donate some of what you cherish. And whatever you give is certainly well known to Allah. [Aal Imraan 3:92]

And He also said,

وَعَسَىٰ أَنْ تَكْرَهُوا شَيْئًا وَهُوَ خَيْرٌ لَّكُمْ وَعَسَىٰ أَنْ تُحِبُّوا شَيْئًا وَهُوَ شَرٌّ لَّكُمْ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ

Perhaps you dislike something which is good for you and like something which is bad for you. Allah knows and you do not know. [Al-Baqarah 2:21]

The Messenger of Allaah (peace and blessings upon him) said, “You will not leave something for the sake of Allaah, without Allaah giving you something better in return.” Ahmad narrated it in al-Musnad, classed as Saheeh by Al-Arnaout in his checking of al-Musnad (38/170).

6. Don't speak without knowledge

If you do not know a ruling on something, or lack understanding in any matter, there is no shame in admitting you do not know, for indeed this phrase is a great weapon. If you don't know about music or anything in fact, don't give your own rulings by saying, “I think”, “in my opinion” and so forth. With all due respect, you are no one, your opinion doesn't matter. Either remain silent or share the ruling of trustworthy scholars.

Allaah said,

وَلَا تَقُولُوا مَا تَصِفُ أَلْسِنَتُكُمُ الْكَذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِّتَفْتَرُوا عَلَى اللَّهِ الْكَذِبَ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا يَفْلِحُونَ ١١٦

Do not falsely declare with your tongues, “This is lawful, and that is unlawful,” only fabricating lies against Allah. Indeed, those who fabricate lies against Allah will never succeed. [An-Nahl 16:116]

And He also said,

وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَٰئِكَ كَانَ عَنْهُ مَسْئُولًا ٣٦

And do not pursue (i.e do not assume and do not say) that of which you have no knowledge. Indeed, the hearing, the sight and the heart - about all those [one] will be questioned.

7. Don't force your opinion on others

If someone does not hold what you hold, it is not obligatory on you to force him to agree with your opinion. Rather let them be the way they are. In the case of music, advise them, try to open their eyes but if they refuse to open them, then don't force it upon them. Ask Allaah to guide them and leave them be. Guidance is in the hands of Allaah, so if Allaah wills, He will guide them otherwise He will keep them in blindness because they themselves do not want to change for the better. Allaah said,

فَذَكِّرْ إِن نَّفَعَتِ الذِّكْرَىٰ ٩ سَيَذَكِّرْ مَنْ يَخْشَىٰ ١٠ وَيَتَجَنَّبُهَا الْأَشْقَىٰ ١١ الَّذِي يَصْلَى النَّارَ الْكُبْرَىٰ ١٢

So remind, if the reminder should benefit; He who fears [Allāh] will be reminded. But the wretched one will avoid it [He] who will [enter and] burn in the greatest Fire [Al-'Ala 87:9-12)

اللهم ارنا الحق حقا وارزقنا اتباعه وارنا الباطل باطلا وارزقنا اجتنابه

O Allaah, show us the truth as true and inspire us to follow it and show us falsehood as false and inspire us to avoid it

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